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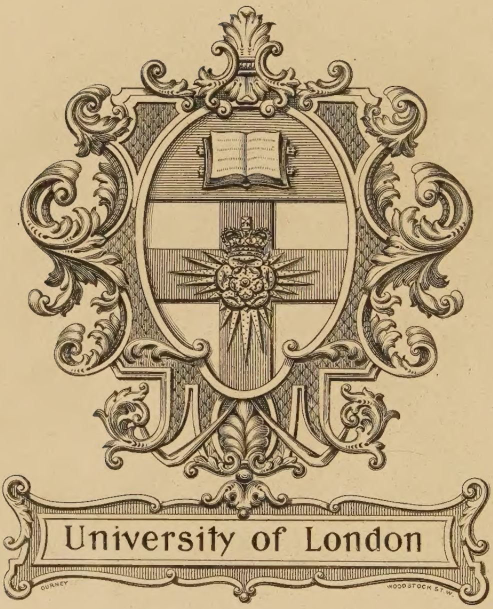

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# Parliamentary Debates

VOL. XL.

# THE
# Parliamentary Debates

FROM
THE YEAR
1803
TO THE PRESENT TIME:

FORMING A CONTINUATION OF THE WORK ENTITLED
"THE PARLIAMENTARY HISTORY OF ENGLAND FROM THE EARLIEST
PERIOD TO THE YEAR 1803."

PUBLISHED UNDER THE SUPERINTENDENCE OF
T. C. HANSARD.

## VOL. XL.

COMPRISING THE PERIOD
FROM
THE THIRD DAY OF MAY,
TO
THE THIRTEENTH DAY OF JULY,
1819.

*LONDON:*

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1819.

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THE

# Parliamentary Debates

During the First Session of the Sixth Parliament of the
United Kingdom of Great Britain and Ireland, appointed to meet at Westminster, the Fourteenth Day
of January 1819, in the Fifty-ninth Year of the Reign
of His Majesty King GEORGE the Third.

[*Sess.* 1819.

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## HOUSE OF COMMONS.

*Monday, May* 3, 1819.

PETITIONS RESPECTING THE CLAIMS OF THE ROMAN CATHOLICS.] Mr. Bastard presented a petition from the county of Devon against the claims of the Roman Catholics. He said, he concurred fully with the petitioners in the opinion, that any farther concessions to the Roman Catholics would be dangerous to the Protestant ascendancy. The hon. member presented a similar petition from Exeter.

Mr. *Newman* said, he had heard it reported that it was his intention to give a vote upon the question at variance with his former opinions. Ever since he had taken a seat in that House he had always joined the Protestant side, and should do so upon the present occasion, unless he heard arguments much stronger than those in general use, to show the propriety of granting the Catholics that for which they petitioned. He, at the same time, wished it to be understood, that if he thought the Catholics were not protected in their property and religion in the fullest manner, he should be the first to propose securities for their protection.

Lord *Ebrington* rose not to detract from the weight of respectability which attached to the character of the individuals who signed the petition from the county of Devon. There were, however, some circumstances connected with that petition with which he felt it his duty to make the House acquainted. How long the county meeting where the petition originated had been in contemplation, it was impossible for him to say; but he could positively state, that no public notice was given to the county, until the 20th of last month, when an advertisement appeared in the Exeter papers, calling the meeting on the 23rd. He did not mean to say what the sense of the county of Devon was on the Catholic question, but of this he was confident, that the sudden manner in which this meeting had been called, was not calculated fairly to ascertain it. He imputed no blame to the high sheriff, knowing him, from his character, incapable of acting in any way but as a sense of duty prescribed. He did not insinuate any disrespect against those who signed the requisition, for their names were unknown to him, as he believed they were to the county at large, since he had never seen them published in any of the newspapers, according to the usual practice on such occasions. Of the 900 petitioners, many he knew to be most respectable, and he was fully disposed to believe that all were so; but he must also be allowed to say, that the very great majority of the nobility, gentry, and freeholders, had neither sanctioned the meeting with their presence, nor the petition with their signatures; and, whatever might be their opinions respecting Catholic emancipation, he did not believe that they concurred with those who at the meeting appeared as the framers and proposers of the petition. His own sentiments on the important question were already declared. Did he entertain the opinion that concessions to our Catholic fellow-subjects could endanger our Protestant establishment, he would be the last man to give them his support; but thinking, as he did, that all those who shared in the burthens of the country ought to participate in the blessings of the constitution, he felt it to be as wise in policy as it was just and sound in principle, to remove the disabilities under which so many laboured on account of their religious belief.

Mr. *Courtenay* did not mean to deny the respectability of the individuals who signed the petition from Exeter, but he should observe, that the names affixed to a petition from the same place in favour of the Roman Catholic claims, which he should presently present, were not less respectable. He fully agreed with the latter petitioners, that it was unjust and impolitic to deprive any body of men of their civil rights in consequence of their religious opinions. Instead of thinking that any danger would arise to the church or state from the repeal of the laws affecting the Roman Catholics, he thought it would add considerably to the strength of the country. For those of his constituents who thought otherwise he had a high respect; but he differed from them very much. There was, in fact, a great difference of opinion on the subject in every part of the country, and this was a reason why every member should come to the discussion of the question with an unbiassed mind, and unfettered judgment.

Mr. Houblon presented a petition from the archdeacon, clergy, and laity of Colchester, against any farther concessions to the Roman Catholics.

Mr. *Western* said, that he differed very widely from those of his constituents who had signed the petitions against the claims of the Roman Catholics. This he regretted, as he respected them highly; but he had the satisfaction to think, that he agreed with some of the most enlightened statesmen that ever graced this country. He would not yield to any man in attachment to the constitution; he hated what was once known under the name of popery as much as any man; he regretted that such an ascendancy should have been gained over a great portion of Europe as once existed; but with these feelings strong in his mind, he could not subscribe to the principle which would visit upon the children the sins o their ancestors.

Mr. Cartwright presented a petition from the dean and chapter of Peterborough against the claims of the Catholics.

Mr. *Western* rose to express his doubt of the constitutional propriety of the clergy coming forward in a body against a general right. The clergy certainly could not have a stronger interest in questions of this kind than any other class of his majesty's subjects individually, but their appearance in a body was formidable, and had an unconstitutional tendency. They looked like a separate and distinct class coming forward to give an influence. The subject was one that was connected with political rights and liberties, and the clergy ought not to come in their collective capacity to assume a political influence.

Mr. *Peel* said, it was quite impossible for him to hear such doctrine, without entering his most solemn protest against it. Was it possible for any man in that House to support the doctrine of the hon. member, that it was unconstitutional for the clergy to approach that House as petitioners? Where did the hon. member learn this doctrine? In what books had he read it? He was surprised to hear such sentiments from that side of the House (though he did not mean to assume that any one but the hon. member held such opinions), which on every occasion professed to wish for the utmost freedom of discussion. How could any man say that the clergy had not a right to petition that House? What! was it not enough that they were excluded from a seat in it? Were they now to be excluded from approaching it with petitions couched in the most respectful terms? From the warmest friends of the Roman Catholics he had never before heard the right of the clergy to come forward denied. What, he would ask, was to preclude them from coming forward as a body? Did not the House every day receive petitions from individuals in their corporate character? What, he could wish to know, was there in the law or the constitution of the country to preclude the clergy from coming forward in whatever way they pleased?

Mr. *Methuen* was extremely happy to have heard from the right hon. gentleman sentiments so perfectly in accordance with his own, but which had borrowed an additional charm from the animated language in which those sentiments had been clothed. He could not sufficiently mark his dissatisfaction with, or rather abhorrence of, the doctrines laid down by the hon. member for Essex. Nothing could be more unconstitutional, as well as illiberal; for if there was one body whose representations should be entitled to more respect than another, that distinctive favour was certainly due to the tried worth and highly-respectable character of the established clergy.

Mr. *Western* contended, that he had been completely misunderstood, if not misrepresented. He did not mean that their petitions should be excluded from that House; his objection went to their addressing the House upon a subject of this delicacy in their corporate capacity. Would it be judicious to encourage applications respecting grievances from various classes of men in their corporate capacity? For instance, would it be for the interest of the independence of that House, that there should be presented a petition from the army as a body, upon the subject of its grievances?

Mr. *Plunkett* said, there was an evident misapprehension existing. The clergy had, he said, petitioned against the claims, under the impression that the interests of the Protestant church were in danger; they considered that a question of religion, which he regarded as one of great civil policy, and certainly they had a right to petition in a collective, as well as in an individual capacity; but it perhaps would have been advisable to have abstained from taking so active a part as they had taken upon the occasion.

Lord *Milton* said, he should certainly not coincide with the observations of his hon. friend, the member for Essex, if he thought they were directed against the reception of petitions from clergymen as individuals; although he had a doubt, whether or not their petitions, as a body, ought to be received. Although the House might receive a petition from an individual officer, if they were to allow a petition to be presented to them by the 1st regiment of Guards, they might as well abdicate their functions at once. The petitioners called themselves members of the church. The whole community were just as much members of the church. The petitioners were, in fact, the servants of the church.

The several petitions were ordered to lie on the table.

Sir *George Hill* said, he had a petition to present against the claims of the Roman Catholics, which did not yield in respectability to any that had been brought before parliament on that subject. It was from as independent a body of constituents as any that returned a member to that House. It was from the freemen, citizens, and inhabitants of the city and liberties of Londonderry. It was subscribed by the mayor, the sheriffs, the bishop and the dean, as well as by the clergy of the Established and Presbyterian churches, by all the principal merchants and resident gentry, and very numerously by the middle ranks of society. In short, it possessed every quality to give it merit and favour with the House. Its language was conciliatory, but in firm opposition to any alteration which could in any degree endanger the Protestantism of the throne, of the parliament, or of our religion. These were the sentiments of his constituents, and with them he entirely concurred; but they were not only the sentiments of the citizens of Derry, but of the Protestants of the North of Ireland, with which he had as good reason to be acquainted as any member. He was convinced, at the same time, that this and similar petitions had been thought peculiarly necessary, and had been voted and forwarded in consequence of the unauthorised declaration of some persons in Dublin, who being advocates of the Roman Catholics, had presumed to arrogate and announce a support of those claims by Protestants, which was not sanctioned. Such boasts, together with the taunts of the Roman Catholic press, had produced this and other petitions of the same tendency.

Many other petitions on the same subject were presented, and ordered to lie on the table.

Roman Catholic Question.] Mr. *Gratton** presented eight Roman Catholic and five Protestant petitions, in favour of the Roman Catholic claims; after which, he rose and said:—

I beg leave, Sir, in presenting these petitions, to express my most ardent hope, that they may ultimately succeed; and that, in their success, they will give strength to the Protestant church, to the act of Settlement, and to the Protestant succession to the crown; and that they will form an identification with the people, so as to preserve tranquillity at home, and security and respectability abroad; while the two religions, under the roof of one and the same empire, may exercise their respective privileges with the same God, the same Gospel, and the same Redeemer; with different sacraments, but the same results; and in their different notes, with all the variety of nature, but with its concord and harmony, offer up their prayers to their common Redeemer.

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It is submitted, that the Roman Catholic combination of Europe has ceased, that the race of the Pretender is extinct, that the dangerous power of the Pope is no more, and that the imputed attachments are not only gone, but the objects to which there could be any attachment are annihilated. The Roman Catholics claim a common law right of eligibility, subject certainly to the control of parliament; they formerly sat in parliament and held offices, as you now sit in parliament, by virtue of that right; should you repeal the disabling statutes, you do not give, you only restore; should you please to continue the penal statutes, it is a sentence, where you are to prove their delinquency, before you can call upon them to establish their innocence. There is no doubt that parliament has a right to disqualify; the safety of parliament depends on it; you have done so in the best of times; you have disqualified placemen and pensioners of certain descriptions; you have disqualified revenue officers, and you have ascertained the qualification of members of parliament, with a view to secure its independency; but there is one privilege which you cannot affect; you cannot disqualify on account of religion; the subject worships his God in defiance of his fellow-creature; it is the prerogative of God, as well as the privilege of the subject. The king who would interfere, puts himself in the place of his Maker, and attempts to jostle the Almighty from his throne; he has no credentials from God, and he can have none from man;—all the kings of the earth, and all their artillery, horse and foot, and dragoons, cannot, in the mind of the meanest individual, establish a conviction of any proposition, moral, religious, or mathematical. Indeed, you are too enlightened to doubt this, and therefore it is said, we do not exclude the Roman Catholics on account of their religion, but that we consider what they call their religion, to be evidence of tenets and affections which do not belong to religion, and which amount to a disregard of the obligation of an oath, and the duty of allegiance. Let us suppose sir George Jerningham tried on that charge, and that the arguments tendered in evidence were, the proceedings of the council of Lateran, the revival of the Jesuits, the restoration of the Inquisition, Gandolphy's pamphlet, his reception by the pope, and the politeness of the pope's chamberlain;—the judge who should suffer such evidence to go to a jury, would be impeached, and the jury who found on such evidence would be attainted. Suppose the counsel on the side of the defence should tender in evidence, the diverse oaths which the Protestants had prescribed, and which the Roman Catholics had taken; the answers of the six universities against the imputed slander, the list of the killed and wounded, the battles won with Catholic blood; and in answer to the objection arising from the appointment of a Roman Catholic prelate by the pope, he should say, that this was the only part of the question which by any pretence came within your jurisdiction, but that the objection was answered by the pope's own letters, containing an offer of the veto; and that you, in refusing that offer, rejected the security of the church, when it came accompanied with the liberty of the people; such a tender by the counsel, the judge would observe to be unnecessary, inasmuch as the other side had made out no case.

Here then I beg to observe on this part of the subject, first, that the Roman Catholics had a common law right to eligibility; secondly, that the parliament had in justice no right to require them to abjure their religion; thirdly, that the Roman Catholic religion is no evidence of perfidy or treason; fourthly, that you reject the Roman Catholics for what they have abjured, and you further require them to abjure that, which does not belong to the cognizance of the civil magistrate, namely, the articles of their religion; and in so doing, you commit that, for which a judge would be impeached, and a jury might be attainted.

In continuing the disqualification of the Roman Catholic, we not only deprive them of the common law right of eligibility, but we affect the foundation of our own faith, and disobey the prime order of natural and revealed religion: when we say the Roman Catholic is affected with circumstances idolatrous, and incapable of moral obligation or political allegiance, we say the Roman Catholic religion is not divine; saying that, we affirm that Christianity does not extend to France, to Italy, to Spain, and a great part of Germany; saying that, we say that Christianity has made no way, and of course deprive it of one great proof of its divinity; saying that, we say that the Pope has foiled his maker, that a man proves too strong for Almighty power, save where a few nations have rescued the wreck of his omnipotence from general discomfiture: the atheist hears all this, goes along with each sect, while it attacks the other, and instead of stopping short at Protestantism, proceeds to infidelity.

I say we affect the foundation of our faith, and disobey a prime order of natural and revealed religion; a prime order of natural and revealed religion is to love one another; in no other way can you serve your Maker; prayer is adoration, not service; by serving one another, you become a part of his creation, and an auxiliary member of his system; for this, the Redeemer came among you; he came, supported by miracle, prophecy, and the internal evidence of transcendent morals, to ordain two great truths; the love of God, and love of man: the love of man was not only the order but the object of his coming. You answer you don't obey; that your fellow christians are in general idolaters, and the object for the most part of moral disapprobation; God then has left mankind so imperfect, as to make his own commands impossible; and accordingly, we disqualify a great portion of our fellow citizens, and denounce a great proportion of our fellow christians, and disobey our gospel; except you can prove, that the gospel does not comprehend those who believe in seven sacraments, or that its blessings are to be confined to alms, and that the greater part of our fellow christians are objects of our charity, not of our benevolence.

You answer this, by charges against the Roman Catholics. I have stated those charges to be unfounded, you yourselves do not believe them; you did not believe those charges in the 17th of the king, when you declared the Roman Catholics to be good and loyal subjects; you did not believe those charges when you gave them the right of bearing arms; you did not believe those charges when you gave them in Ireland the election franchise; you did not believe those charges when you gave them the army and navy; you did not believe those charges when you restored the popedom; you carried the pope on your back, the great infallible, whom you supposed would command the allegiance of your fellow subjects, but whom you found a feeble potentate, who could not command a Roman Catholic musket in the region of popery; strapped to the war-horse of a great captain; violated in his own dominions; and whom the Roman Catholic nations had suffered to be deposed until the great Protestant power restored him:—I say, did you restore the mass in Italy, in order to punish your fellow subjects for popery?—no, but you saw the danger came from another quarter, you saw that Christianity of every sort was comparatively safe, but that infidelity of every description was dangerous. You did not believe these charges when you helped to restore the house of Bourbon, and with them to give new strength to the Roman Catholic religion in France; France had claimed to walk with reason, and despised to walk with God, and she stumbled; you saw that the cold acknowledgment of a first cause would ill supply the place of the living God, and glowing devotion; you saw that a Roman Catholic church establishment was a better guide than rueful philosophy, and that Christianity with seven sacraments, was better than infidelity; peace had lost the sweets of affiance, and war the properties of honor; and the reign of the philosopher was a proof of the necessity of religion. Accordingly, you waited for its revival—the revival of the Roman Catholic religion, as a means of faith, and a bond of treaty; and as you endeavoured to restore the principles of order, without disputing the particular government, so you endeavoured to revive the elements of Christianity, without disputing the particular religion; and in so doing, you introduced in Europe, a political conformity on the subject of religion; you cut off the hostile appeal to Roman Catholic princes, and accordingly, the different kings, Protestant and Roman Catholic, have united by the bond of christian fraternity to support the christian religion. You have changed the ecclesiastical position of Europe: the two religions, Protestant and Roman Catholic, had been in a state of mutual hostility, they are now in a state of mutual defence, each preferring its own establishment, but both concurring to defend the principle of government against the anarchist who should depose the king, and the principles of Christianity against the infidel, who would depose the Almighty; but you cannot limit the benefit of these principles to foreign powers; a conformity of religion abroad must be in substance a comprehension of religion at home; you cannot set up the pope in Italy, and punish popery in England; you cannot favor the religion of kings, and punish the same religion in subjects; that were to declare, that religion was an artifice of state, to protect power, and abridge liberty.

But it is said, if you emancipate the Roman Catholics, their clergy will overturn the government, they will use their influence with their laity, and their laity will use their new power, and forfeit their lives in the vain attempt to give domination to their church; they rest this argument on a position which is fundamentally erroneous: it supposes that man struggles for the domination of his church establishment by nature; man is not attached to church establishment by nature; church establishment is a creature of art, and a question in politics, not a work of nature. The argument goes farther, and says, that men would prefer the domination of their church establishment to all considerations, moral or political; that is to say that all men are by nature fanatics: 'tis true, the Deity is a natural impression, but the bishop is not the Almighty: the Deity has come amongst us with the gospel in his hand, and the gospel contains a morality in the face of those ungrateful and rebellious proceedings here apprehended: the moral of the gospel is common to the Roman Catholics, and in this case the argument then would be, that the Roman Catholics would rise against their God, against their gospel, and against their king, to rebel with their clergy. This argument is not only not according to human nature, but the reverse; it supposes Dr. Poynter, an excellent subject, will upon the emancipation of his flock, say to the duke of Norfolk, your grace is now possessed of the privileges of the constitution, you will now of course try to subvert the government; that is to say, lose your head by a fruitless effort to get me made archbishop of Canterbury: it supposes that lord Shrewsbury, lord Fingall, lord Clifford, excellent subjects when deprived of their privileges; on their emancipation, precipitate on treason: with them the moral elements are reversed; kindness revolts; injuries reconcile; strange men! such as human nature never created; you hug your thraldrom; you rebel against your privileges, and you fall in love with death, when it is to be administered by the hands of the common hangman. This argument arrives at last, to the monstrous palliation of two crimes rebellion of the Roman Catholics for the ambition of their church, and pains and penalties imposed on the Roman Catholics for the exercise of their religion; and the gospel, instead of being a system of charity, becomes a scale of ferocity.

The argument I combat, not only goes against the nature of man, but against the drift of the age: the question is not now, which church? but whether any,—church or no church,—God or no God? When you attack the religion of Europe, you attack the religion of England;—when you attack Dr. Troy, you attack the archbishop of Canterbury. In vain shall Oxford come forth and say, we never meant this, we only disapproved of auricular confession,—we abhorred extreme unction,—we petitioned against extending to the Roman Catholics the full benefits of the constitution;—the infidel or the sectary who will succeed the church of Rome will answer,—you swore the religion of Europe was a *humbug* (to use their low expression), and taught us to suspect your own; you argued that the hierarchy of Europe would overturn the governments that restrained its ambition, and thus you have swore so stoutly, and argued so well, that you have conquered your own religion:—there is a great similitude;—you send for the clergy when you are sick;—you send for the clergy when you are dying;—your sacrament is more than a commemoration, though less than a transubstantiation; there are shades of difference it is true, but if their hierarchy be so abominable, your's cannot be pure, and in your common downfall, you will learn your similitude: I speak of the tendency of their argument, I do not speak of the conduct of our church upon the whole on this question. I think the church appears to be placable: I love the mild government of the church of England;—it is a home for piety; it is a cradle for science; so that by an early alliance with divinity, you guard the majesty of heaven against the rebellion of wit:—those who would send back the clergy to the hair garment, and the naked foot, would be the first to deride;—I like the arched roof, the cathedral state, the human voice, and all the powers of evangelic harmony, to give a soul to our duty, and sway the senses on the side of salvation—the wisest men we know of, Locke and Newton, were Christians and Protestants; it is the minor genius that mutinies against the Gospel; he affords to the universe one glance, and has not patience for the second; but I should think I provided ill for the security of our church, by the destruction of others.

The objection which alleges the growth of demand, naturally connects itself with this part of the subject; if the Roman Catholics get a share in the state, they will demand a share in the church, that is to say, they will desire to become Protestant clergymen;—the law may make a Catholic a member of parliament, but cannot make him a Protestant clergyman, there, the nature of things interposes limits; but, if they mean that he will desire a church establishment of his own, they are mistaken; it is what the Protestants in general wish to give him, and the Roman Catholic declines; he declines, because he does not feel that impulse, charged on nature, in favour of a church ascendency; because they wish to have their pastors a little nearer to themselves, and less connected with the court; the progress of demand does not arise from the unreasonableness of the Catholics, but from the nature of things; in the time of the Pretender, there was a general disability; at the death of the Pretender, some of the penal political provisions were by law to cease; when the emperor Joseph repealed the principal provisions against the Protestant, you naturally proposed a corresponding repeal: when the French made great changes in their religion, and their country ceased to be a champion of popery, a further repeal took place; and now, when you have established a political conformity abroad, a political comprehension at home naturally presents itself; it is not the growth of demand, but the ceasing of the hostile circumstances which were incident, but not essential to the Roman Catholic religion; there was a time perhaps, when less could be said for the repeal of the penal code, and the time has now arrived, when nothing can be said for its continuance.—Your error is, that the circumstances that belong to the times, you annex to the sacraments of their religion.

And now I must add another objection interposed in the way of Roman Catholic emancipation, and that is, a denomination not less respectable than the revolution, a great event, but a human transaction, and the arrangement of man; but what is here claimed, is the dispensation of the Almighty; the revolution does not repeal the New Testament; the revolution, properly understood, is the victory of civil and religious liberty, not over a sect, but over a tyranny. When the Roman Catholics cease to support that tyranny, they are entitled to the benefits of the revolution; it is said, that the oath and declaration framed at the revolution were intended to be final, parliament says otherwise; the House of Lords in its resolution of 1705, says otherwise; in the act of the Scotch Union, it declares that the oath and declaration were not to be final; again, parliament in the act of the Irish Union, declares that the oath and declaration were not to be final. You will observe that this declaration is conventional; in order to obtain the approbation of the Roman Catholics in favor of the Union, they were informed by parliament that their exclusion [was not final; so that instead of a covenant amongst the Protestants against the Roman Catholics for their final exclusion, there is a covenant of the Protestants, with the Roman Catholics, against their final exclusion; therefore the argument is nothing less than a proposal to break that covenant: I have understated the force of the Roman Catholic case on this part of the argument; the oath and declaration were not only not intended to be a final exclusion of the Roman Catholic, but did not purpose to exclude the Roman Catholics finally, but directed its rigour against such as refused to abjure the temporal power of the pope;—such is the act of 1793. Now this description does not comprehend the present race of Roman Catholics, and therefore they do not come within the meaning of the exclusion, such is the act of 1793; it contains three principles: it condemns the oath and declaration; it repeals the oath and declaration in the instance of Scotland; and it declares that Roman Catholics in general did not come within the purview of the act of exclusion. Gentlemen talk of a Protestant constitution;—it seems they prescribe for a Protestant constitution:—What;—for a constitution in favour of the Protestants before the existence of the Protestant religion?—baptism is no title;—you may call your son George Brunswick, but that does not give him the crown;—the component parts of the constitution are not exclusively Protestant:—the Peers are not exclusively Protestant;—the Commons are not exclusively Protestant;—the Irish electors are not exclusively Protestant;—and yet they are a part of the Commons: you are not to confound the third estate with the House in which that third estate is represented, or to suppose that the Commons are only the representatives, and not the electors: but Protestant constitution is a good name, and excites the feelings without any meaning annexed; so they answer the Gospel; their evangelical duty is stated; it is said the Gospel ordains that you should love your enemies,—they reply,—the battle of the Boyne;—the Revolution of 88—and the glorious memory of king William; thus they answer the Gospel by toasts, which tickle the brain without reaching the understanding, and produce intoxication instead of conviction.

They speak of Ireland: it is a common case of colonization, except where your policy made it peculiar; you made an exclusive system, and prevented your own amalgamation; when they say the Irish are disaffected, I deny it, but if they are, who made them so?—not their five additional sacraments, it must have been then their oppression; you acquit oppression, and convict their religion, and bearing false witness against the people, their detractors desire two things, to get a monopoly of all the good things in this life, and in the next glory everlasting.

They have been at this work for ages; they have gotten the land, established our religion, and disqualified the majority; we have given them good reason for so doing, by assuring them of the idolatry of their faith, the treason of their politics, and the perfidy of their religion: and unable to reconcile a perverse generation, we desire barracks and an army; this is the account men give of the result of their politics in Ireland, and in this account they do justice neither to the Roman Catholics nor to themselves. The Protestants in Ireland are not tyrants,—the Roman Catholics are not rebels,—and the Protestants and Roman Catholics form a fine race of men: the Protestants have in many instances saved to the Catholics their inheritance, and in general respected their persons, the Irish heart, better than the law, rescued humanity from the barbarity of the statute: make it a point of spirit, and the Irish will yield nothing; refer it to his heart, and he has the softness of a woman; even the most violent have frequently acted with the milk of a Christian, though they have argued with the fury of an idiot. The Protestants have petitioned in great numbers, and in great respectability; it is impossible not to take notice of the good conduct of the chief magistrate of Dublin, the lord mayor, who acted with temper, firmness, and liberality the good conduct of the government, and the chief secretary, who I now see on the opposite bench, and whom I hope long to see in the situation that he holds.

The petitioners against the Roman Catholics,—many of them I know;—many of them I personally regard;—I would ask them, do they really think their fellow-subjects should be excluded on account of extreme unction?—certainly not: for transubstantiation?—certainly not: and yet their application, if strictly taken, would, and for no better reason, deprive them of their civil rights for ever. It would go, as far as concerns two-thirds of their fellow citizens, to a perpetual repeal of the gospel: the standard of constitution which they frame, would be at least as fatal to themselves as to the Roman Catholics; for it is the Revolution of 1688, in which their country was deprived of both trade and the exclusive power of her own parliament; and it was not till one hundred years after, when Ireland recovered her trade and her liberty. They will observe also that there was no law against the admission of Roman Catholics into the Irish parliament at the time of the Revolution, nor did any law take place till near one hundred years after; they have then chosen a period as the standard of their rights, when the Roman Catholics were not excluded from seats in parliament by law, and when the whole country was deprived of trade and liberty, by power.

But it is said, an arrangement is impossible: to take away privilege, it seems then is easy; but to restore,—to retrieve the diabolical course—there is the difficulty. Not the ability and sound judgment of Mr. Ponsonby—(I will name the committee)—not the modest truth of Mr. Elliot's intellect; not the refining genius of Mr. Windham; not the strenuous capacity of Mr. Whitbread; nor the all-enlightened perfection of sir Samuel Romilly's understanding;—these men were of the Committee to frame the bill; they are now great authorities to support it; authorities canonized by death; but I do not despair; my right hon. friend still lives; the trusty constitutional hand that drew the bill still lives;—the noble lord, his enemies must allow him abilities, he lives: the luminary by his side, he lives; and the good ameliorator of the lot of Africa, he lives. What then is the tremendous obstacle, to overcome which we boast our incapacity? It is a declaration that the majority of Christians are idolators; that our good ally, the emperor of Austria, is an idolator; that our good ally the emperor of Russia, is an idolator; that our good ally, the king of France, is an idolator: that the king of Portugal, for whom we have been fighting so brilliantly, is an idolator. Saying this, we announce that we have crowned idolatry in Italy; that we have given idolatry new vigour in France; and have planted idolatry in Canada. This declaration is one obstacle, the oath of supremacy the other. The latter means to abjure any foreign power of any kind, coactive, coercive, or compulsory; affecting any jurisdiction of what sort soever in this realm. The Roman Catholic might take that oath properly explained:—Will you try him? Would you explain that oath so as to give the crown the benefit of what is called his complete allegiance? There are two oaths, then, in the way of their emancipation; the one, the oath of supremacy, which, if properly explained, the Roman Catholic would take; the other the declaration, which every Protestant should wish to repeal: to repeal the one, and to explain the other, with such circumstances and accompaniments as may be held to be necessary, are motions that will be submitted to the committee; refusing them, you will have refused your own security.

It is farther argued, that all this will not satisfy; that is to say, to obey the word of God, commanding us to love one another, will not satisfy; as far as any thing is personal to the Almighty, they are ready; but farther, they beg to decline, and they make a compromise with their maker; they praise God, and damn one another. When gentlemen have said that the bill of a former year gave universal dissatisfaction, they go farther than they are warranted; the laity did not give any general expression of dissatisfaction; some Catholic bishops certainly did, but they had before expressed their satisfaction, and approved of the bill; and you will observe, when the pope objects to the *Regium Exequatur*, he shows that you may take it if you please, as other princes have done, and he cannot help it.

Gentlemen object that the bill gave every thing. How then could it give general dissatisfaction? Certainly not on account of the two exceptions in it, the seals and the lord lieutenancy, for they are the patrons of Protestant livings. Now to tell a Roman Catholic that he cannot be trusted with an office, is to tell him he is a bad subject; but to tell him he cannot be a Protestant patron, is only to tell him he is a Roman Catholic.

There are those who disapprove of the Veto, and detest emancipation; if you wait until you can reconcile these, you will wait forever; because you cannot satisfy all, you will satisfy none. Recollect that the question here, is not merely a question of public satisfaction, but a question of public service; and not only a question of public service, but a question of religious duty, and then the argument is, you must take the pleasure of the crowd, before you obey the Almighty. When I say the crowd, I mean a crowd of sectaries. When we consider obedience a human law, we ask is it on the roll? But when we consider the law of God, we ask—is it convenient? How will it please the prince? How will it answer our interest in the corporation? How will it serve us on our elections? We try the wisdom of God by the folly of man, as we did his person; and decide against both by a presumption, which is blasphemous.

Gentlemen call this a question of empire; the gospel is not a question of empire; it is the highest possible command pronounced by infinite power; it is the highest imaginable interest pronounced by infinite wisdom; as the empire swerves from it, she falters; as she stands by it, she prospers.

It is objected that the Irish are below the privileges which this emancipation would confer; I scorn to answer it; 'tis you must answer it; it would say that you have governed the Irish so ill, as to put them below the blessings of a free constitution: you have given the elective franchise to those whom you thus describe, and refuse to give the representative to those who do not come within that description: they want bread, you say not privilege, and you give them neither. The objection that they have not a love for a liberty I despise also. What? in these walls to say so? that have witnessed their confirmation of Magna Charta thirty times; and in this city of the Tower, that guards that sacred instrument? There are now extant of those who trace themselves to the signature of the charter two families; they are Roman Catholics; they are petitioners also, and desire to share that liberty which their ancestors gave you; you complain of imperfect allegiance make it perfect, and explain the oath of supremacy; their allegiance is as perfect as that of Austria, that of France, or that of any other Roman Catholic country, who all furnish an experimental proof of ample allegiance: 'tis said, the Protestant church in Ireland is established by the articles of Union, and therefore, that the Roman Catholic people should be disqualified; the framers of the union were not of that opinion; they said, that the Roman Catholic emancipation would be the probable result of the Union—on what ground then do you place the Protestant church by that argument?—You make it incompatible with the civil rights of the people who pay that church; you make it incompatible with your own gospel; you place the Protestant church in direct opposition to the gospel on one hand, and the people on the other; you said, that when we urged the fewness of their numbers to sit in parliament, we allowed their unfitness; no:—it is a question of proportion, not of goodness or badness; you would not have all the members Scotch, or Irish, or English, but a proportion of each representing their respective interests. This question has been now under consideration for forty years, from the right hon. member (Mr. Foster), whom I see opposite, who resisted it with great ability and great temper also, to the other right hon. member, a late secretary, who opposed it on a former occasion, in a speech replete with ability set off by the brightness of his talents, the suavity of his manners, and the excellence of his character: upon that occasion I was not very kindly dealt with by some of our own side; their criticism upon me was not handsome; I answer it by referring to my speech.

In the course of these debates two great points have been obtained which should settle the question for ever; the one is the confession of its antagonists, the other, the experiment of its safety: they have said, that with equal privileges, the population draws power; then there is an end of their opposition, for the population of the two islands is Protestant four to one; the Protestant ascendancy would therefore be established, by the emancipation of the Roman Catholics; and increased, inasmuch as where the different parts of the community have their natural place, the strength of the part is the strength of the whole. You must consider the progress of amalgamation; you must consider also, that in addition to their numbers, the property, particularly the landed property, is beyond comparison Protestant; you are to consider that the crown is exclusively Protestant; you are to consider that the seat of legislature is Protestant; you are to consider that the number of members from the Roman Catholic part of the empire, cannot equal a sixth part of the representation in one House, still less in the other, even were we to suppose that the whole number were Roman Catholics, which is impossible.

But the antagonists say, that in Ireland the Roman Catholic ascendancy will be established; I answer, not unless it be established in England, for there is but one ascendancy, and that ascendancy acts here. Gentlemen say, it would be Protestant England, Presbyterian Scotland, and Catholic Ireland;—not more than it is so now; with this difference, however, that it is now disqualified Ireland, and of course discontented Ireland. Gentlemen say, that the property in Ireland would change, and become Roman Catholic. Why so? Not in consequence of the emancipation; to make them members of parliament, or to make them officers, is not a change of property; if such a change takes place, it must be from the freedom of trade, and the right of purchase; you do not mean to take away that; you do not mean to restore the gavel, and repeal the act of 1781, which gave them the freehold? Their proposition, then, is this:—by the laws which they do not propose to repeal, the property of Ireland must become Roman Catholic;—to guard against the evil consequences, they propose to disqualify the property, and render hostile the landed proprietors of Ireland. I cannot say what would be the best constitution for Ireland, but I am sure that would be the worst.

While gentlemen were talking of the permanency of an imaginary balance, two quantities, and those not very inconsiderable, went out of the scale; the navy and army. In the year 1807, a noble lord then the minister, brought into the House, a bill extending the right of holding certain military commissions to his majesty's Roman Catholic subjects; it was exclaimed,—turn him out! What! a Roman Catholic command a regiment? a Roman Catholic command a ship? The church is undone!—turn out the bill!—turn out the minister, and excite the people! two years ago, another minister brought in a bill, giving the Roman Catholics the navy and army. The bill was read a first time, it was read a second time, committed, reported, read a third time, and passed without any opposition whatever: it was sent to the Lords, read, committed, and passed; the mitre nodded its unanimous approbation, the bill received the royal assent; the next morning, the Tower of London was observed not to have fallen, the spires and steeples of Oxford and Cambridge persisted to stand, the archbishop of York, the bishop of Bangor, were alive, and not only alive, but alive with undiminished health and income. The safety of the state, and the prosperity of the church, proved the futility of our wisdom, the folly of our fears, and the unreality of those alarms that would, for the safety of the state, exclude one-fourth of the people.

You have, in argument, settled the question; or will you say, that the Roman Catholic cannot be trusted with a vote, but may with the navy of England?—don't give him the pope's comitatus, but he may have the army, he may be commander-in-chief, but don't make him an alderman. The navy and the army consist of * * * * thousand, these he may command; but here draw the line, don't give him political power, nothing, except his majesty's forces by sea and land. I say in argument you have settled the question; and when you shall have settled it in law, you will not only have enfranchised the Roman Catholic religion, you will have ameliorated your own. The tendency of the opposition to the Catholic claims, was to put the Gospel into oblivion,—to narrow universal benevolence to a sect,—to take from the Deity his attributes, to give him their own,—to make him a partial and penal God, the minister of their spleen and their ambition. There were, I say, some, who disposed to mix a little acrimony in their religion, went on their knees with contumelious humility. and held in scorn the publican who prayed at their side.

You will now have an opportunity of restoring to God his attributes, and to our sects, the morality, the sublimity, and the amenity of the Gospel: the exclusive system has become peculiar to you: it is not so in France: it is not so in Austria: it is not so in Holland: it is not so in Hungary: but in England: in free, in liberal, in enlightened England: but then you say, aye, let arbitrary countries give civil and religious liberty, but let a free country disqualify a fourth of its people, and assume to the remainder a monopoly of the Godhead. Recollect, that you are forfeiting your great prerogative of taking the lead in liberating the human mind: other nations, in arts which accomplish and grace mankind, excelled you; they danced, they sung; but the stating courageous truths; the breaking political or metaphysical chains; that was the robust accomplishment of your country; we have heard of divers anomalies in your policy, your treaties, your subsidies and your prayers; but the great anomaly is yourself. The continent lay flat before your late rival; the Prussians had dissolved; the Austrians had retired; the iron genius of Russia had retired; the power of France had come to the water edge; when, behold, from a cloudy speck in the West, the avenging genius of this country issues forth, clutching ten thousand thunders: breaks the spell of France: stops the flying fortunes of Europe: sweeps the sea; rights the globe, and retires in a flame of glory: and, while the planet is in admiration and amaze at its genius and originality, England turns school divine, has a bye battle about extreme unction, and swears its friends are a pack of idolators.

Our prince is on the part of his father the supreme head of the church; we are his national council, and have a right to advise him: I avail myself of that privilege, and say to him, My Prince, My Master, you must take the lead in the deliverance of your people; your predecessor, the Plantagenet, conquered on the continent, so have you: but then they confirmed the great charter thirty times: your other predecessor, the Tudor, saved Holland, so have you; but then she passed good laws without number: the Hanover, and under your direction, has carried Europe on his back; but then a great work still remains for the fulfilment of his glory, a fourth part of your subjects are now before you. Come, the destinies of the house of Hanover are waiting for you; come, be the emancipator of the Catholics, as you have been the deliverer of Europe, and look in the face the Plantagenet and the Tudor. I move you, Sir, "That this House do resolve itself into a Committee of the whole House, to consider the state of the laws by which oaths or declarations are required to be taken or made as qualifications for the enjoyment of offices, and the exercise of civil functions, so far as the same affect his majesty's Roman Catholic subjects, and whether it would be expedient in any and what manner to alter or modify the same, and subject to what provisions and regulations."

Mr. *Croker* spoke to the following effect:*

Sir:—I rise to second the motion. I feel that I owe some apology to the House, for venturing to solicit its attention at so early a stage in the debate; but I trust that that apology will be found in the nature of the considerations which I shall have to offer to its attention. These considerations appear to me to be of serious importance; and as I am not aware that they have been hitherto stated in parliament, I am anxious to submit them thus early to the candid examination of the House, and to a fair and full discussion by those who may follow me in the debate.

In tracing, as I have lately had occasion to do, the stream of pains and penalties, from its source in the rugged times of our ancestors down to the present day, it is impossible not to be struck with the gradual character of mildness and mitigation which it has assumed. The law raged in the higher periods of our history with the penal fury of a torrent; but as it descended into the valleys of cultivated life and civilization, it expanded itself into a wide and regular stream of beneficence. So much indeed has been done by gradual concession, and by the silent and conciliatory operation of time, that a great portion of what the Catholic asks, and of what the Protestant hesitates to grant, has been already virtually conceded; and, by complying with the request of our Roman Catholic fellow subjects, we shall now be only perfecting the course in which our ancestors have led the way.

The part of the law to which the right hon. gentleman has called the attention of the House, though latest in point of date, naturally offers itself as the first object of attention. That measure [57 George 3rd, c. 92.] was introduced into the House of Lords about two years ago, by a noble friend of mine (lord Melville); and I had the honour of recommending it to the attention of this House. The right hon. gentleman, my right hon. friend, I hope I may be permitted to call him, has truly stated that this act passed through both Houses without any opposition; and it is also true, as he said, that its virtual operation is to open all the honours and emoluments of the naval and military services to his majesty's Roman Catholic subjects. But the right hon. gentleman is a little mistaken, in thinking that the proposition which, at a former period, and in different hands, had excited such a spirit of anxious and successful opposition throughout the whole country, was precisely the same, or, in law, of exactly similar effect, with the late measure. The truth is, that the last act does not alter, nor affect to alter, the law as it stood at the time of passing it; but it recites, that doubts exist as to the state of the law, and that the practice of administering the Test Oaths and Declarations to the officers of the army, having been long disused, though it continues to be enforced against officers of the navy, it is desirable to clear up those doubts, and assimilate, by a distinct enactment, the regulations of the two great branches of our military service.

I, for my own part, doubted, and still doubt, that any legislative measure was necessary for this purpose, and I believed that at most a mere declaratory act would have been sufficient. But other persons, for whose judgments I was bound to feel, on every account, the greatest respect, were of a contrary opinion; and, as the difference between us did not all affect the real object which every one had in view, my noble friend and I could have no difficulty in acceding to their wishes. That act therefore, though it is by some persons considered, erroneously I think, as the sole protection of the Catholic naval or military officer, does not—if I am correct in my view of the general state of the law—place them in a different situation from Catholics aspiring to hold any of the civil or legal offices of the country. I believe, and think I shall be able to show, that they are alike capable of holding civil and military office; and (to put my opinion in the strongest possible form) that the same operation of law, under which a Roman Catholic might have become a general officer, would enable him to become lord chancellor of England.

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I feel that this assertion may excite some degree of surprise; and I own that I should not venture to make it, if, after the most mature examination of my own, and a communication with several gentlemen highly capable of judging upon such a subject, I were not convinced of the truth of the position; I may be mistaken, but I venture to think (however the law may be ultimately found to stand), that I shall be able to show so much of reason, or at least of colour, for my opinion, as will induce any impartial mind to decide, that there should be an investigation into the subject, and that we ought to be satisfied before we proceed in the angry alternation of claims and refusals, what is the real state of the question on which we are debating. Such an inquiry, the motion, which I have had the honour to second, is meant to obtain; and it is with this object, and not with a view dogmatically to establish any opinions of my own, that I shall proceed in my observations.

I fear that I shall have to apologize to the House for not being able to lay before it, with as much brevity and clearness as I ought, the state of this case; but when I mention that there are, I believe, not less than one hundred and fifty statutes which apply to this subject, some of which, though expired, must be referred to as commentaries upon the rest; others of which are repealed in a small, and others still in a greater part of their enactments; some prescribing one oath, and one declaration, and others, contemporaneous, prescribing other oaths, and other declarations; when, I say, the law is to be traced through such a mass of various, not to say discordant and contradictory materials, it can hardly be expected, that my habits and avocations should enable me to reduce such a chaos into luminous order, or to lay down with confidence what the result of this multitudinous legislation may be at the present day. I can only say, that I have given the subject such a degree of attention as has satisfied my own mind, and I now shall submit my course of argument to the indulgence of the House.

I shall, for the present, pass over all the mass of enactments which took place before the accession of the House of Brunswick; a period, when, if I may use the expression, we took a new lease of the constitution. I need only state, that Roman Catholics, or, as they are universally called in the earlier acts, Papists, are excluded from public office by the operation of certain oaths and declarations which the holders of office are required to take, and which assert certain religious tenets, in which a conscientious Roman Catholic cannot acquiesce. This is so true, that we well remember that a learned doctor (Duigenan), who on former occasions took the lead in opposing all concession to the Catholics, told us, with great simplicity, "that *we* did not exclude the Catholics, but that they excluded themselves, by refusing to take the oaths which we proffered to them." The disabilities, then, may be considered as caused wholly by these oaths and declarations.

The statute which first prescribed the oaths as they *at present* exist, and which is, as I believe, the principal one now in force on this point, is the 1st George 1st, stat. 2, cap. 13. This act (amongst a variety of other matter which was merely temporary, and with which I need not trouble the House) provides, that all persons holding any office, civil or military, or any place of emolument or trust (enumerating all possible cases with great care), shall, within three months after they shall have entered upon any such place or office, take and subscribe in one of the courts at Westminster, or at the general quarter sessions of the peace, the oaths in the statute set forth, namely, the oath of allegiance, the oath of supremacy, and the oath of abjuration.

By a subsequent act of the 9th George 2nd, cap. 31, it is provided, that instead of the period of three months given by the statute of George 1st, a period of six calendar months shall be allowed for qualification; and it is farther provided, that the declaration against transubstantiation, enacted by the 25th Charles 2nd, cap. 2, shall also be made at the same time. Thus, then, Catholics are not excluded from any of the offices of the state, but are incapable of continuing to hold them, unless they shall qualify themselves within six calendar months.

And now, Sir, commences a new series of legislation on this subject. From that very year in which this remarkable extension of the period allowed for qualification was made, the wisdom of parliament has been pleased annually to pass what has been commonly called "The Act of Indemnity." This act recites the acts imposing the oaths of qualification, and the declaration against transubstantiation; and enacts, that any person who may have, before the passing of such act, neglected or omitted to so qualify himself, shall not be liable to any pain or penalty resulting from his omission or neglect, provided he shall qualify before the 25th of March then next ensuing. And, as a benevolent care has been taken that each new act should pass before the day specified in the former act, the whole, taken together, amount to (what it would seem the legislature intended them to be) a complete indemnity, and a virtual suspension of all the acts of penalty.

I am not unaware that these acts would not protect a person who should offend, and be prosecuted to final judgment between the passing of one act and another; but when we recollect that the offence can not be committed before the expiration of six calendar months after the acceptance of office, and that the obtaining of final judgment is the affair, in any case of some months, and in most cases of many months, it is evident that, for all ordinary purposes and cases, the indemnity acts are a perfect and uninterrupted cover. If they are not so, and if a contrary doctrine is now to be established, it will lead to the enforcement of penalties, not upon the Catholics, but upon the great mass of Protestant holders of office, who—under the faith of those acts of indemnity, under the common and uncontradicted opinion of their intent and effect, and under a century of impunity—have exercised their various offices, without qualification on their part, or without question on that of others.

This part of the subject leads me to state to the House a remarkable instance of the mistakes which have existed as to the state of the law, and of the necessity of coming to a clear understanding upon the subject. I must recall to the recollection of the House the able statement by which Mr. Fox introduced for the first time this important subject to the imperial parliament; that statement, Sir, is an instance of the luminous brevity with which that great orator stated his positions, and the abundant eloquence with which he so brilliantly illustrated them.

He states that the disabilities affecting the Catholics might now be reduced to two great heads, 1st, Their exclusion from civil and military offices. 2nd. Their exclusion from parliament. In explanation of the first point, Mr. Fox stated, that, "though the subordinate commissions in the navy and army were open to the Catholic, the ranks of admiral, and general were denied to them."—The confusion of the law misled Mr. Fox. At the time when he spoke, all the honours of the army were, in fact, alike open to the Catholics, and all the ranks of the navy alike closed against them.

Again—in pursuing this subject, Mr. Fox, with that happy and instructive pleasantry with which he sometimes illustrated the gravest subjects, imagined two lords commissioners of the Admiralty assembled at their board for the care of the public interests; "but instead of discussing the propriety of dispatching a fleet to oppose our enemies in the Mediterranean, or to protect our colonies and commerce in the West Indies, imagine," exclaimed Mr. Fox, "our two admirals employing themselves in an argument upon transubstantiation?"—Sir, Mr. Fox knew well the importance of the great office to which he alluded.—He well knew the uncontrolled power of the high admiral over the most disposable and not least effective portion of the national force. He knew that the navy was the first object to which James 2nd, on his accession, attached himself. He knew that he and his popish advisers clung to it to the last. He was aware that is was the first object of the solicitude of king William—and he was well convinced that the loyalty and devotion of the navy is, in all times and circumstances, of the most vital importance to the government of this country. No wonder then, Sir, that Mr. Fox should imagine that if there were any office in the state from which the Papist continued to be excluded; that if there were any department of power which they were or ought to be forbidden to wield, it would be the extensive, the almost unbounded, authority of the lord high admiral. But what is the fact? why, that, within our memory, the commissioners for executing that office—in defiance of all the reasons which I have just stated, and in the teeth of all the penalties which we are told are in vigour—have disregarded both, and have in no one instance qualified themselves according to law.

These observations. I trust, will be a

sufficient apology for my endeavour to engage the House to free the Statute book from a state of perplexity which could thus mislead the almost universal information, and almost miraculous sagacity of Mr. Fox. They will also, I hope, serve to excuse any errors or inaccuracies into which I myself may fall, in the examination of so complex a subject. When I call the subject complex, I do not mean to say, that the result is not clear. On the contrary, I have been already able to explain in a few words, and I hope intelligibly, what I consider the present state of the law to be; but, in coming to this result, I have been obliged to wade through a mass of obsolete and antiquated legislation, which I am not sure that I always comprehended, and which I confess that I should be exceedingly puzzled to explain.

Against the plain argument which I found on the combination of the 1st of George 1st, the 9th George 2nd, and the annual Indemnity bills, corroborated by the facts which I have connected with them, I cannot foresee what solid objection can be made. I do honestly assure the House that I am not talking for victory in the spirit of a party. I am stating, as fairly as I can, the merits of the case; and if my hon. friends who are to follow me should be able to show that my argument is fallacious, and that I have deceived the House, I trust I shall be believed, when I say that I first deceived myself.

This very liability to error is one of my arguments—if, with all the attention which I have directed towards this subject I should have failed in unravelling its details; if no research can guide us, and if no authority will direct us to a clear view of the true state of the law, I ask, confidently ask, is it not high time to have a committee of investigation? It has, indeed, been surmised that some ancient and almost-forgotten statutes may be still in being, though they are not in force; statutes which, when raised from the dead, may be found inconsistent with my view of the question; and I have heard the Qualification act of the 1st of William and Mary, cap. 8. (by which the qualification is made a condition precedent to the acceptance of office, and not, as by the acts of George, a condition subsequent), mentioned, as likely to have this effect. I am ready to meet this argument; and, to meet it more fully, will admit that the act in question has not been expressly repealed; but then I insist that it has been virtually abrogated; and that, to suppose it in force would lead to a monstrous absurdity.

In the first place, that act (as far as it relates to this subject), specifies only the oath of allegiance and the oath of supremacy: now, both those oaths are (with only an alteration of the sovereign's name, which I shall mention presently), re-enacted, word for word, by the acts of George. Can it be believed that it was the intention of rational legislators to oblige officers to take a set of oaths on their entry into office; and, under the severest penalties, to oblige them to take over again the self-same oaths, next day, or at latest within three months after? Such a notion is manifestly absurd. But the alteration to which I have alluded, made in the oath of George 1st, sets this in a still stronger light. The oath of allegiance in the 1st William and Mary must be taken "in the express words following," or, as it is in another place stated, "in the following words, and no other:"—"I promise and swear that I will be faithful, and bear true allegiance, to their majesties king William and queen Mary." The act of George, as was obviously necessary, alters this oath, so that the officer shall not be obliged to testify his adherence to the deceased king and queen of happy memory, but shall "swear to bear true allegiance to his majesty king George."

Now, Sir, let me observe that the extraordinary and minute accuracy of the statute of William and Mary, in using the terms, "these express words, and no other," is, I believe, wholly unprecedented. I do not recollect any other instance of the use of such a form, nor do I well see what possible use it could have been; except, indeed, it were to guard against the very argument which I am now combating. If the oaths of the statute of William and Mary be in force, they are in force in these express words, "in these express words: 'I promise to 'bear true allegiance to king William and 'queen Mary,' and no other."

There is also, Sir, another important consideration. This act of William and Mary is not mentioned in any of the hundred indemnity bills which have been passed, though these bills profess to cover all the acts which could possibly "disquiet the minds of any of his majesty's subjects," and though they recite acts both prior and posterior to the act in question. If the legislature had considered it as still existing, they could not have failed to enumerate it with all the other acts in the indemnity bills. These considerations appear to me conclusive that the act of William and Mary was not considered as surviving that of Geo. 1st.

But even if I should admit, (which I cannot), that it did survive, I can still show, that though not recited, it is covered by the acts of indemnity;—for those acts protect the parties, not only against the statutes which they recite, but against "all other statutes whatsoever;" so that by no possible construction can it happen that persons shall be liable to be, "disquieted" by any galvanic revival of this statute of William and Mary. The same reasoning will apply, with at least equal force, to the several acts of Elizabeth, and her immediate successors, which prescribed tests and qualifications; and I, therefore, shall not weary the House, and perplex the argument by a detailed examination of them.

But it will be alleged, perhaps, that the Indemnity act, on which I build so much, is but an act of sufferance, granted by the indulgence of parliament, and liable to be interrupted in its discretion: I admit it; and therefore I am far from saying that the state of the law is conclusive and satisfactory. I admit that, even if it be as I represent it, the Catholic would hold the rights, which I consider him to possess, by a precarious tenure; and I further admit that, with such a precarious tenure, he would not be satisfied; but then on the other hand, I shall shew to the Protestant of the present day, that this system of indulgence has been growing, by gradual relaxations, for one hundred and thirty years; and that the "wisdom of our ancestors" to which so many appeals have been made on the other side of the question, ought rather to be considered as sanctioning the more liberal views of this subject which I am inclined to take. The act of Indemnity is indeed called an annual act; but when I see it re-producing itself, and, if I may use such a metaphor, flowering for eighty-six years successively and without interruption, I think I may venture to call it rather a perennial than an annual.

Let us see then what the opponents of the Catholics must do, if they wish to exclude them from civil office: they must stop the next indemnity bill; they must interrupt a course of legislation which is almost coeval with the reign of the house of Brunswick,—and they must do so for the purpose of securing the Protestant succession! They must turn back the stream of experience which has run for near a century in this channel of indulgence,—and they must do it under the pretence of adhering to the wisdom of their ancestors!

Upon the excluding oaths and declarations themselves, I shall now make a few observations, which, though they will not affect the legal obligation to take these tests, may yet serve to elucidate and explain the reasons which may have induced the legislature to insist upon them in the earlier times, and to suspend them in the later. The first of these is the oath of supremacy. The meaning and intention with which we are called upon, now-a-days, to take this oath, must be very different from those with which it was originally enacted. It is no great recommendation of it to state that it owes its origin to that enlightened and beneficient lawgiver king Henry the 8th; and even by him it was only enacted for the purpose of establishing a political principle, which, however dubious in those early days, has been for centuries unquestioned and undenied, viz., that the king is the supreme head of the church of England. During the struggles of the infant church, and when men's minds were unfixed and unformed to any class of ecclesiastical policy different from that of the church of Rome the admission on oath of the king's supremacy may have been a necessary measure. But since it is now only taken by Protestants, and as, without it, the declaration against transubstantiation would suffice to exclude the Catholics, it seems idle to continue to impose it upon us, even if there were no intrinsic objection to it; but, there is, I think, a most serious internal objection, which a conscientious Protestant may have, to take, in the days of king George the 3rd, this oath of king Henry the 8th. In this oath he is now called upon to swear "that he does not believe that the Pope or any other foreign potentate hath, or ought to have, any jurisdiction, power, superiority, pre-eminence, or authority, ecclesiastical or spiritual, within this realm."

This may have been, as I have said very proper in the times in which the law was framed, and even in the succeeding reigns, as long as the original state of things existed—while it was high treason to write or preach the Pope's authority, —while it was high treason for a popish priest to tarry three days in England,—while it was high treason to be reconciled with the church of Rome,—while, in short, pains and penalties, of all denominations and degrees, from the greatest to the lowest, were enacted, to terrify the very name of Roman Catholic out of England;—then undoubtedly the pope had not, and no Protestant would say that he ought to have, " any ecclesiastical or spiritual authority within these realms." But when we have now, by law, tolerated the religion of persons holding communion with the church of Rome,—when we acknowledge them by the names of Papist and Roman Catholic, both of which denominations have a direct reference to foreign authority; when we have established by law and endowed by public money a college for the education of Roman Catholic priests at Maynooth; and when we know that all these persons, and that this establishment, acknowledged the spiritual authority of the Pope, how can we, I ask, assert, nay, swear, as a matter of fact, " that he hath no spiritual authority within these realms?" Is it fit, Sir, in this age, that the Protestants of the church of England should be obliged to swear to that which can only be defended by some casuistical explanation, and by referring back, for the meaning of the words, to days, distant three centuries in point of time, and a thousand years in point of intelligence and civilization. But this is not all; we have a parliamentary contradiction of this oath, which no casuistry can explain away; and, what is very singular, this contradiction,—which may well disturb the conscience of a Protestant,—arises out of a legislative concession made to quiet the conscience of the Catholic!

By the act called Sir J. Mitford's Act, in England, and by the 33rd of the king, in Ireland, an oath is prescribed, by which the Catholic is enabled to testify his allegiance to the king, and entitle himself to certain constitutional privileges. In this oath, framed with great care by the most zealous Protestants, the Catholic is required to swear, in the words (with one important change) of our oath of supremacy, " that he does not believe that the pope, or any other foreign potentate, hath, or ought to have, any temporal or civil power or authority within this realm." By this change of the important and emphatical words, " spiritual or ecclesiastical," into those no less important and emphatical, " temporal or civil," the legislature acknowledges, by a direct implication and necessary consequence, that over a great, a tolerated, and a privileged class of our fellow subjects within this realm, the pope hath spiritual and ecclesiastical authority; and thus, Sir, I think I may venture to say, that this oath, first enacted and still maintained as a trap for the conscience of the Catholic, is, in fact, nothing else than a trap for the conscience of the Protestant.

After my right hon. friend below me (Mr. Grant), shall have proposed to the House a grant of public money for the education of Roman Catholic clergymen, how will he be able to reconcile it with his conscientious feelings, to swear that he believes that the pope hath no spiritual authority within this realm? And, above all, how can he or any man be satisfied with such an oath, when I state, that there is a clause in the act of the 40th of the king, chap. 85, for the better government of the Roman Catholic college of Maynooth, which expressly recognises and excepts from the restrictive operations of the act, " the exercise of the Roman Catholic religion, and the doctrine, discipline, and worship thereof." Can it be denied, that the spiritual authority of the pope is a part of the doctrine or discipline of the Roman Catholic religion? and, if it be so, is there common sense in making us forswear, under one act of parliament, what we acknowledge and assert in another? Nay, I recollect, that in a bill introduced into parliament some sessions ago, which was supported by my noble friend on the floor (lord Castlereagh), and which advanced in this House as far as the committee, there were divers provisions for regulating the intercourse of the Roman Catholic clergy with their pontiff. How can those who introduced that bill, who supported that bill, swear, " the pope ought not to have any ecclesiastical authority within the realm."

My noble and my right hon. friends, and I, and all of us, have taken this oath, in a sense which we hope that we understand, but which its words can hardly in fair construction bear; and the right hon. gentleman opposite (Mr. Grattan) very truly stated, as I understood him, that in the sense in which we take it, a Roman

Catholic would not refuse it. So far, then, as a mode of exclusion to the latter, it would be even, if it stood alone, inoperative; but, in fact, for that purpose, the declaration against transubstantiation renders it quite unnecessary.—Why, therefore, have I dwelt so long upon this question of the oath of supremacy, which does not affect the Catholics? Sir, I have dwelt upon it, because it does affect the Protestants, and because, unless the objections which I make to it can be clearly and fully answered, I think that I have stated to the conscience of every Protestant, a strong reason for our going into a committee, in which this contradiction or obscurity may be explained or remedied.

The next of these oaths is the oath of abjuration; of abjuration of what, and of whom? Of a popish pretender, who does not exist? Of the issue of James 2nd, over the grave of the last of whom, we have erected a monument? In former times, these oaths of abjuration were varied according to the occasion; and, as the person of the British sovereign, or of the popish pretender, changed by the course of nature, the good sense of parliament varied the objects of our obligation. It was reserved for our enlightened days to continue to abjure claims which are no more, and to disclaim allegiance to a prince whose very posterity has perished. It is impossible, Sir, that this act can much longer be permitted to subsist. To be satisfied of that, it is not, indeed, necessary to go into a committee; but, combined with the other motives which I have given, and shall give, it is, surely, no unimportant reason for acceding to the present motion.

Next, Sir, comes the declaration against transubstantiation, which is, in truth, the efficient, and, I might add, the sole, obstacle to a Roman Catholic's enjoying all the rights and privileges of a British subject. Abrogate it, and you grant Catholic emancipation. Upon the subject of these declarations, for there are two of them, the law appears to me to be in great confusion. The first of these declarations is prescribed by the act of 25th Charles 2nd, commonly called "The Test Act," and does no more than, in a few words, to deny the real presence in the eucharist; but, in the 30th Charles 2nd, an act was passed to prevent Papists from sitting in parliament; and in this, the second declaration, such as we take it at the table of the House, is enacted. This, to the denial of transubstantiation in the former declaration, adds, "that the invocation or adoration of the Virgin Mary, or any other saint, and that the sacrifice of the mass as used in the church of Rome, are superstitious and idolatrous;" and it then proceeds—with great care and casuistry, but with no great reliance on the good faith of the party (on whose good faith, however, the whole must ultimately rest)—to guard against "evasion, mental reservation, and equivocation." By subsequent statutes, sometimes the one, and sometimes the other, of those declarations, are prescribed to be taken. Some classes of persons seem, at first sight, liable to both, but, by the perplexity of such superabundant caution, the majority of the king's subjects are become liable to neither. Nor does there appear any rational reason for the difference between them. They were framed originally in times of panic, and in times of panic they seem to have been subsequently re-enacted; the little one being employed when the legislature was in little frights, while the greater one was reserved for greater frights.

But even in this point the legislature has not been always consistent. By the 13th William 3rd, which prescribes the oath of abjuration, it is enacted, that this oath shall be taken by all officers at the same time that they shall make and subscribe the little declaration. It happens, unluckily, that officers, naval and military officers at least, are required by the 1st of William and Mary, only to make the great declaration of the 30th Charles 2nd; and thus they are required to take this important oath at the same time that they make a declaration, which they need not make at all. And this mistake is not a mere absurdity. It affects the very question which we are now discussing, namely, whether the oath be a condition, subsequent or precedent; for the great declaration is to be taken previous to the entering into office, and the little declaration within three months after it.

Again,—the act of the 7th and 8th of William 3rd, prescribes that persons of the legal profession shall, before admission, take the oaths, and make the short declaration of the 25th Charles 2nd, though, by this act, three months after admission are allowed for the making such declaration.

And again,—one would naturally suppose that if there were any servants of the

Crown, whom it were politic to tie up more strictly than others, it would be those domestic officers called in the statutes the sworn servants of the Crown, who, by their familiar attendance, are the most responsible for the personal safety of the sovereign, and most likely by their intercourse to effect his political opinions; and on the other hand, if there be a class of his majesty's servants least likely to affect the personal safety or public councils of the monarch, and whom, therefore, the law ought, if it made any difference, to look at with the least jealousy, it would be an officer of the navy; and, according to this rational view, we find that naval officers were at first required only to take the short declaration, and the king's sworn servants the great one. But afterwards, by an unaccountable alteration, the stricter declaration was imposed upon the naval officer, and the follower of the court was indulged with the lighter.

One fact more, and I shall have done on this point. Even in the indemnity act which we passed about a month ago, a similar confusion of terms prevails. The act of the 25th Charles 2nd, prescribing the one declaration, and the act of the 30th of the same reign, prescribing the other, are both recited; and yet the declarations are afterwards mentioned as one declaration, and indemnity is granted for not having made "the said declaration."

Surely, Sir, all these contradictions constitute another ground for inquiry. It cannot be denied that we ought, distinctly and without the necessity of a long legal research, to know what and which declarations are in force, and by whom and when they ought to be taken; declarations too of such very different import and extent, that I think it extremely probable that there are persons who might take one, and would refuse the other; declarations differing—I will not say quite so much as day and night—but differing as a very dark day and a very light one.

So far I have considered the state of the tests on the English statute book. The confusion is at least as great on that of Ireland, because the acts which I have principally rested upon as affecting this question, namely, those of the 1st William and 1st George, and the acts of Indemnity are equally the law of Ireland; and to the difficulties which I have stated as arising out of these, the Irish law adds some peculiar perplexities of its own. Thus, for instance, by the act 33 Geo. 3rd, the Irish Roman Catholics are, upon taking the oath of allegiance already alluded to, enabled to enjoy all offices, civil and military, except about twenty specifically reserved, such as lord lieutenant, chief secretary, commander-in-chief, chancellor, judge, and so forth.

A papist says that act, may not be any of these; but I say, in the words of the law, and on the construction of the general body of the statutes, that a Roman Catholic may be all these.

In the first place, how are we to discover that a person is a papist, for this act does not tell us it? "Oh, but," it will be answered, "the old law provides us with the means of detecting a papist. First, catch your papist, and then offer him the great declaration or the little one; and if he refuses to take them, *habes confitentem*. These declarations are a kind of chymical tests, which when properly applied, will discolour a papist, look he ever so clear, and render him unfit for use."

But now, Sir, unfortunately for this chymical process, there is no law, that I know of, by which you can apply it to any of the excepted offices:

To none of them can it be applied till six months after the acceptance of the office, and, by that time the officer will be virtually protected from its effect by the act of indemnity. And, in point of fact, some of the most important of these officers never do take any oath or test whatever. I appeal to my right hon. friend behind me (Mr. Peel); I appeal to my hon. friend on the floor (Mr. Grant), the late and the present chief secretaries; whether either of them took any oath or test whatever on their admission to office. I perceive that my right hon. friend behind me intimates that he did when he was sworn a privy councillor; true, I know he did. But, in reply, I will remark that the secretary for Ireland is not of necessity a privy councillor, and that it is not as secretary that he is sworn. But I will go still farther, and I will show him that, even as a privy councillor, he is not bound to take the oaths and declarations in question; and, thirdly, I will show that if, as a privy councillor, he is bound by law to take them, he has not taken them according to law.

In the first place, it is so little a matter of inevitable necessity, that the secretary should be a privy councillor, that my right hon. friend on the floor (Mr. Grant), was secretary for a considerable time before he was sworn of the privy council. If some zealous Protestant had laid hold of him, and fancied that he had caught a latent papist—we know, fortunately, that, with regard to my right hon. friend, he would have been mistaken—but, if he had found a real Papist, he would have been still more so; for what could he have done with him? Of course he would have immediately tried his chymical test upon him, and offered him the declaration. The secretary, occupied in the duties of his office, would have had little leisure and less inclination to indulge the political or religious curiosity of the investigator; and, if he made him any answer, would have simply said, that by the act, which imposes those oaths and declarations upon official men, he had six months longer to consider about taking them; and if, at the end of the six months, the inquirer should be so public spirited as to prosecute the secretary, and so happy as to obtain a verdict, the victorious plaintiff would, by the time that he had arrived at final judgment, find himself totally defeated by the previous intervention of the Indemnity act; and thus we should, in spite of our pains and penalties, have a Roman Catholic secretary for Ireland.

Equally dangerous would it be to the Protestant establishment in church and state, to have a popish commander-in-chief. He, indeed, has the power of the sword, which in Ireland is no nearly allied to the power of the state; "no, no, it is quite impossible to permit him to be a Papist, and even the act of indulgence expressly excludes him."—But again I will venture to assert, that the commanders in-chief of late years have not, as such, taken any test whatever; and that, by the laws now in force, they are not compelable to take any. What then is to be done? Alas, Sir, nothing, but to acquiesce, however reluctantly, in having a popish commander-in-chief, if the Crown should please to select one; unless, indeed, parliament could be persuaded to retrace its steps, to resume indemnities which have lasted for a century, and set out on a retrograde march into the dismal regions of penalty.

But, Sir, it may be said, as I have already intimated, that these officers are generally privy councillors; and now I must endeavour to fulfil my pledge, by showing—as I think I shall most fully do, First, that a privy councillor, is not by law obliged to take these oaths; and secondly, that if he were, the mode in which it is practised does not satisfy the law.

First, I do not any where find enumerated among the offices for which a qualification is necessary, that of privy councillor. It might perhaps be doubted whether it be included under the expression "Place of Trust;" but I must not descend to any chicanery on this subject. I am not here arguing for a paltry victory of words. Impressed with a strong sense of duty, I am endeavouring to convey to the House my honest opinions on the subject; and I do so with the expectation and desire, that what I urge may be fully and candidly examined. I, therefore, Sir, hasten to waive all such verbal objections and subtleties; the place of privy councillor is of great dignity and trust; it is, or ought to have been, included in the general rule; and I will therefore assume that the acts which apply to other great offices of the state apply to this also; but then, Sir, I must deny that such acts are more applicable, or rather I should say, applicable with greater celerity, to this than to other offices; and then, Sir, I am entitled to return to the argument with which I set out, and to assert (until that argument shall be disproved), that a privy councillor, like every one else, is entitled to the indulgence of the combined acts of Geo. 1st, and of the indemnity bills; but if he be not, and if the oaths are specially required from him, then I will say—and with some degree of confidence—that taking the oaths, and making the declaration at the council board is not sufficient; and that if omitting to take them be an offence, the taking of them there is no diminution of such offence.

I am not, Sir, about to deny the power of the king in council to administer these or any other lawful oaths; but I assert, that, when a power superior to that of the crown,—I mean the united act of the three branches of the legislature, directs that oaths shall, for any particular purpose, be taken at a given time and in a stated place, the taking of them at another time, and in a different place, does not satisfy the law. The oaths and declarations of qualification, it will, I think, be admitted upon all hands, must be taken specifically "in one or other of the great courts of law, or at the general sessions of the peace; and though the taking these oaths in any other place, may be innocent, the doing so is mere surplusage, and can neither relieve the taker from any of the penalties, nor entitle him to any of the immunities of the law.

Nay, Sir, this is so undeniable, that great care is taken in all the acts to provide that the subscription to these oaths and declarations shall be of record. It is quite evident, that an oath before the privy council in the supposed case would not be of record, and that not only the letter, but the spirit of the law would be violated. The oaths therefore, which, for a long series of years, I believe, have been taken only at the council board by persons admitted to the privy council, are, for the purposes of qualification, wholly nugatory, and as if they had not been made. If then the privy councillors are not indemnified, a great number of the most exalted characters of both countries are in jeopardy; and if they are indemnified, a Roman Catholic not going through the vain form of taking these oaths in an unavailing time and place, would be equally indemnified.

But here, Sir, I am aware an objection will be urged against me, arising out of the old and invariable practice; and I shall be asked, "Why, if I allow so much weight to the custom which has prevailed of omitting the oaths in other cases, I should treat so lightly the invariable custom of taking them in this?"

I think, Sir, I can sufficiently answer this objection, by accounting for the practice; and I shall do so by an argument that applies to the cases of the chancellor and the judges, as well as to that of the privy councillor. Each of these employments has attached to it a distinct oath of office. Those oaths are, gerally of high antiquity; some of them, I believe, are by common law, and others are prescribed by statutes so ancient that they may be almost considered as the common law. They all existed prior to the qualification oaths which are now under our discussion; and for obvious reasons of common sense, it is necessary that such oaths of office should be taken on admission into office. When, therefore (which I have admitted was the case prior to the first George 1st,) the oaths of qualification were also to be taken on admission to office, it followed naturally that all the oaths were taken at the same time and place; and when afterwards the time for taking the qualification oath was postponed, the oath of office would still continue to be administered as before. It therefore, not unnaturally happened, that the postponement of the oath of qualification being granted as a matter of convenience, persons who were forced to take the oath of office on their admission, did, for the same purpose of convenience, take that opportunity of qualifying themselves; and this, Sir, I take to be the true reason; why the chancellors and judges continue to take the oaths of office and the oaths of qualification at the same time; with regard to them the proceeding is strictly legal, for they swear in one of the courts prescribed by the act, and their oath is of record. But there is nothing that I can discover to prevent a judge, if he should be so inclined, from taking the oath of office on his admission to the bench, and from postponing the other oaths to the longest period the law would allow him; and I own, Sir, if my view of the subject be correct, and if there be not some fallacy in my argument which I cannot myself detect, I should be glad to see some of those learned and eminent persons expounding the law by their practice, and ascertaining that they are not excluded from the same indulgence of time which is allowed to the rest of his majesty's subjects.

In the same way, it may have been, for aught I know, lawful, to the privy councillors, under the ancient acts, to take all the oaths at the council-board; and they having likewise to take what I may call an oath of office, have continued for convenience' sake to take the oaths of qualification at the same time, without adverting to the later provisions of the law which require the taking of the latter in one of the courts of record.

This supposition derives a stronger corroboration from a circumstance of which I have been informed, and which I believe to be correct, though I cannot vouch for it from my own knowledge. I am told that the book from which the oaths are at this day administered to privy councillors, is of so old a date, as to be of the time, if not of king Wllliam, at least of queen Anne; and that the words "Our sovereign lord king William," or "Our sovereign lady queen Anne," have been erased, for the purpose of inserting "Our sovereign lord king George." If this fact, Sir, be true, it will be a strong additional proof that the practice of taking all the oaths at the council board existed before the acts of relaxation were passed, and that it is now only the relic of a more ancient custom, which (like many other particulars of our political discipline) has survived the occasion by which it was introduced; and as, since the accession of the house of Hanover, the acts of indemnity have been almost uninterrupted —for the last ninety years absolutely so;—the privy councillors have been protected from any inconvenience which might legally have arisen out of this, I will not say, erroneous, but at best, superfluous practice. In short, Sir, I cannot see in what particular the offices of chancellor, judge, or privy councillor, can be legally distinguished from the commissioners of the Treasury, or the Admiralty, the commander-in-chief, the generals in the army, and so many other official persons, not one of whom have, for a long series of years, qualified themselves according to what the opponents of my argument would state to be the law. I hope indeed, Sir, for my own sake, that their view of the law is incorrect. I have the honour myself, to hold one of those offices for which qualification would be necessary; but I confess that, trusting to the practice of others, and to the Indemnity acts, I have neglected to perform that duty. I can take upon myself to say, with regard to the office of secretary of the Admiralty, there is nothing in practice to prevent its being enjoyed by a Roman Catholic; I myself had, indeed, the honour of a seat in this House, and therefore had qualified at the table, before I was appointed to the office; but one of my immediate predecessors never was in parliament, and I believe never did qualify, and I am quite sure that my excellent colleague, the second secretary, has never qualified.

This leads me to a consideration of the second branch of the exclusion under which the Catholics labour. I mean their inability to sit in either House of parliament; and though I am, on the whole, clearly of opinion that they cannot, under the existing laws, have that honour, yet I must say, that the law upon this subject, is in some degree obscure; and that the ultimate exclusion of the Roman Catholics appears to me to rest on a clause of the 30th of Charles 2nd, of which I had never thought, till I undertook the present inquiry; which I never saw put into practice, and which, I believe, Sir, the oldest member of this House, never saw enforced; I mean the power which exists of calling up to the table, whenever either House shall think proper, any or all of its members, and administering to them the oaths and declarations.

That power may be executed at any time, and as often as "the House shall see occasion;" and therefore the Indemnity acts could not cover a case in which no hesitation or postponement is allowed, and in which the member might be made to commit the offence the morning after the Indemnity act had passed; so that, of course, final judgment could certainly be obtained against him within the ensuing year. But if a member, to evade the law and orders of the House, should intentionally do, what we all have known many members do unintentionally, sit and vote without having taken the oaths; and that actions for his offence should not be prosecuted to final judgment before the passing of the Indemnity bill, on the 25th of March in any year, he would, in my humble opinion, be thereby—to use the very words of the act—indemnified, freed, and discharged from all penalties, forfeitures, incapacities, and disabilities, incurred, or to be incurred for or by reason of any such neglect or omission; and such person would be and is fully and actually recapacitated and restored to the same state and condition in which he was before such neglect, and he shall be deemed and adjudged to have duly qualified himself according to the above-mentioned acts, and every of them. And that all the elections of and acts done or to be done by such person shall be of the same force and validity as if such person had duly qualified himself according to the said acts, and any or every of them."

And here, Sir, it is important to observe, that one of the "said acts" specially recited and referred to, is the act of the 30th Charles 2nd, which I have mentioned so often, and of which even the title is, in this point of view, remarkable, viz. "An Act for disabling Papists from sitting in either House of Parliament;" and it is still more extraordinary that a person offending, is not only indemnified under this act, but seems to be placed in a better situation than if he had not offended, for "he shall be taken, and adjudged to have qualified for all acts done or to be done;" a large immunity! the full extent of which, I confess, that I do not see—it may go farther than any of us suppose.

But upon all this part of the subject

which relates to seats in parliament, Sir, I will lay but little stress: the obvious intent of the legislature was, and is, to exclude them; and the clause which I have before quoted would, I suppose, when enforced, effectually defeat the scheme of any Roman Catholic who should perist in endeavouring to sit or vote in either House.

There is, however, another curious circumstance connected with this part of the subject. By the first act of William and Mary, in the convention parliament, an act which was passed in the exigency of the moment, when the great desire of all parties was bent towards giving some shape and consistency to the government, and when the hurry and anxiety of the crisis render excusable and natural some inaccuracy and inattention to mere matters of form;—by that act, I say, so much of the 30th Charles 2nd as relates to the taking of the oaths, is repealed; new oaths are enacted, and they are directed to be taken in the same manner and form as the old oaths, which manner and form had been just repealed. This way of making a repealed act a commentary and rule to explain an existing one, is somewhat curious, and exceeds the device of the tyrant of antiquity, who tied together a living and a dead body. This act also united the living and the dead; and what is most strange, it was the dead which, in case of difficulty, was to speak for the living.

I have mentioned, Sir, this latter part of the subject, relative to the obscurities in the laws, which exclude the Roman Catholics from parliament—not supposing that the explanation of these obscurities would effect any alteration in our present parliamentary practice—but to show that the system of laws to which our opponents desire us to adhere as the matured wisdom of our ancestors, does not in fact deserve the name of a system, nor the praise of being mature; and to show to the House, that, even upon that part of the subject which may be considered the least doubtful, there is room for some degree of at least formal amendment.

Upon the other branch of the question, Sir, I shall probably be told, that however plausible my statements may be, there has existed all along a clear and evident intention, on the part of the legislature, to continue in force the operation of the laws excluding the Catholics from public office: I shall probably be told (when the argument arising out of the supposed continued existence of the statute of king William or some other antiquated act shall have been found untenable), that the acts of indemnity, however loosely they may have been worded, were intended to apply to a very different class of cases; and that I have no right to conclude that our ancestors ever contemplated that the Roman Catholics could claim, and much less take any benefit from them.

Sir, I might concede all this, without invalidating my argument; I am not stating what the law ought, or was intended to be, but only what it is; and if I could shew that the law is as I have stated, though my opponents could prove that it was otherwise intended, I should have accomplished my object; and that discrepancy would only afford another and still more unanswerable argument, for an inquiry as to the true state of our legislation and which were the wiser—the acts, or the intentions of our ancestors.

But I really, Sir, see great reason to believe that the intentions of our ancestors were consistent with their acts: I fancy that I can trace a certain rule of conduct, a *rationale*, pervading all their measures.

The oath of supremacy was introduced by Henry at a period when, as I have said, the church of England struggling for life, required such extraordinary support. It was re-enacted by queen Elizabeth, when, after the bloody tyranny of Mary, the new birth of the church required the same measure of legislative assistance.—It was continued during the succeeding reigns, when the efforts of fanatics showed that it was necessary, and when their success proved that it was unavailing. It was revived, together with the oath of allegiance, on the overthrow of the usurper, and the nation; by this double enactment, testified its loyalty to the restored sovereign, and its anxiety for the re-established religion; but it is very remarkable, that in all this time, Sir, so very critical for the church of England when her absolute existence was precarious, and she fought for life from day to day,—in all this important period, Sir, there was no express law to exclude Roman Catholics from parliament.

Nor was there, Sir, until the fury of party, and what has been justly called, "the madness of the nation," inflamed and exasperated by the instant countenance of a Popish successor, precipitated England into the disgrace and horrors of the Popish Plot;—that most extraordinary transaction, which stands alone in the annals of history, as having been alike incomprehensible to its contemporaries, and to posterity: of it a great poet had truly said,

> Some truth there was, but dash'd and brew'd
> with lies,
> To please the fools, and puzzle all the wise:

and the enactments which it produced bear a striking resemblance to the character of the original transaction. The first grumblings of the distant storm, produced the short declaration of the 25th Charles 2nd; but as the panic spread, the blind fury of the terrified people* grew more violent, until at last it endeavoured to make assurance double sure by the utter exclusion of the Papists from parliament, by the declaration of the act of the 30th of that reign.

The conduct of James 2nd was not calculated to allay these apprehensions, and it must be confessed, that when the king of England was seen publicly going to mass, and going less, as it seemed, out of regard for the religious than for the political principles of the church of Rome, the fears of that day appear to have been justified, and even the wild apprehensions of the preceding reign excused.

Nor is it surprising, that on the accession of William and Mary—when, as I have stated, the new government was struggling for existence—when the delay or procrastination of an hour might have defeated the whole object of king William and the friends of civil and religious liberty, that these safeguards should be re-enacted, and brought into such immediate operation, that not the smallest postponement could be allowed. How could William venture to intrust his fleets or his armies, or his courts, or his councils to men who should not have previously given him pledges of their loyalty, This was no time to give the admiral or the general six months delay to take the Whig oaths before a bench of Tory magistrates. This was no time to permit Herbert's or Russel's fleet, on which the safety of England depended, to "yawn for orders on the main." The battle of La Hogue might have been anticipated and lost, and king James might have been in Hampshire before the servants of the crown should have enrolled themselves in the service of the new sovereign. This then explains and accounts for the peremptory haste of the test acts of that period.

But when, after an interval of domestic peace, George 1st, succeeded, as he is said to have boasted, as quietly as a son to the inheritance of his father: it was wisely thought that such precipitancy was no longer necessary: a period for consideration was admitted, and three months after the acceptance of office was allowed for qualification: and, on the accession of George 2nd, when a son did really succeed to the inheritance of his father, with the apparently unanimous concurrence of the whole nation; and when the foreign rival to the throne was in truth rather the bugbear of a party than a serious national apprehension, the period was further extended, and a delay of six months was conceded to the sober and steady loyalty of the country. It was then, this extension having produced no ill effect,—that acts of indemnity granting a still further time grew into frequent, and, at last, into constant use. They were renewed from year to year without question or obstacle, and with similar success, until at length they came about as regularly as the year itself, and grew to be a kind of prescriptive suspension of the laws of penalty.

It was not till after the lapse of many years, that our ancestors seemed to have ventured to recite specially, in the act of indemnity, the statute of the 30th Charles 2nd. In truth there are so many of these acts, that I do not profess to have minutely examined each of them, and it would be as superfluous as tedious to quote their several and successive recitations and enactments: it is enough to say, that the indemnity act has grown by progressive amendments into the state in which we now see it. The rebellion in 1745, so far from giving any reason to doubt the policy of the measures adopted by the Hanover family, ascertained beyond all question, the loyalty of the people of England to the sovereign of the new dynasty, to use a modern phrase, and its fixed devotion to the church of England; and the fear of the pope and the pretender dwindled into nothing.

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* It was not the people alone who were carried away by this insanity—"I would not said a noble peer in the debate on this bill (30 Charl. 2) "have so much as a popish man or a popish woman to remain here; not so much as a popish dog or a popish bitch; not so much as a popish cat to pur and mew about the king." What is more extraordinary, this speech met with praise and approbation.—Hume's Hist. Eng. Vol. 8, p. 81.

Then followed the various concessions specifically made to the Catholics in his present majesty's reign: each more liberal than the former, down to the bill to which the right hon. gentleman has alluded and which is understood to give them a legal right to enjoy all naval and military rank without exception.

Here then we see the princes of the house of Brunswick, acting on a plain, clear, and intelligible system of relaxation, placing their strength in the conciliation of their subjects, and endeavouring by their lenity, as Dr. Johnson says of another memorable act of Grace, "to still the flutter of innumerable bosoms." They endeavoured to cool all internal heats, to calm all religious differences, to bury all political animosities, and they, in a great degree, succeeded.

It would be a libel on this great course of policy to suppose, that it was without a meaning; and when we recollect all the separate acts passed since the accession of king William for the relief of Protestant dissenters, it is hardly reconcileable to reason or the facts to suppose, that this series of indemnity acts was also intended for them alone, and in no degree for their Catholic fellow subjects.

It may be said, that in this deduction I have been too fanciful, and have imagined reasons which could not have existed in the minds of the lawgivers. In the reasons, Sir, I may be mistaken, but I cannot be so in the results; and when I see a long series of facts plainly accounted for by an intelligible rule of conduct, I do not think that it is unfair to attribute such facts to such a motive; and, after all, it is upon the facts, and not upon the motive, that I rest my argument.

The hon. gentlemen who oppose the Catholic claims are fond, as I before said, of talking of the "wisdom of our ancestors," and of "the good old times;" and they tell us that they will not now consent even to an inquiry which may lead to any change in our ancient and approved policy. But I would ask those gentlemen, who thus talk of adhering to the present state of the law out of respect to our ancestors, in what former period of our history the law is to be found as it at present stands? What do those gentlemen mean by the good old times? To what days do they allude? Before the latter end of the reign of Charles 2nd, Catholics sat in parliament. Those then are not the good old times. In the reign of William 3rd, popery was an offence punishable by a variety of strange and monstrous inflictions, which do not now exist, and which no one, I presume, would wish to see re-enacted. These inflictions slept on the statute-book during the reigns of the two first Georges, but even in their dormant state the most zealous Protestants were ashamed of them, and voluntarily, and without solicitation on the part of the Catholics, repealed them. These, therefore, cannot be the good old times to which the zealous Protestant of the present day refers, for the zealous Protestant who lived in those times was ashamed of them.

No, Sir, our constitution, like our physical natures, is in a continual course of partial destruction, and partial renovation. It is an edifice, built at various times, by various hands, and fitted, in the course of successive alterations, to the increased necessities or advanced conveniences, of civilized life. It never before stood as it does to-day, and they who advise us to go back to the forms of any earlier period of our history, are like those who should advise us to pull down a mansion enlarged and beautified by the growing taste of the times, to live in the narrow hovels which originally occupied the site. I therefore, Sir, challenge those hon. gentlemen, who wish to stop the stream of experience and the course of nature, to open our history, and put their finger upon that very year of our annals, and that very state of our constitution, to which they would have us return. If they cannot do that, let us hear no more of adhering to the wisdom of our ancestors, and of resolving to stand on the immutable forms of the constitution.

Thus, Sir, I think I have shown that every argument deduced from reasoning, or arising out of facts, is in favour of the inquiry this night proposed. I have shown, I think, that the Catholic is indemnified from the operation of the acts of penalty; but I am sure that if the Catholic be not so indemnified, the Protestant is not; and therefore, Sir, whether we wish to emancipate or to restrict the Catholic, and whether we wish that the Protestant should be wholly or partially indemnified for the negligences which we all commit, it is in either and in any case absolutely necessary, to proceed to this inquiry.

On the more general question it may be said, that if my view of the subject be correct, the Catholics enjoy the greater part of what they seek. True, Sir, in law, but not in practice; and my argument, so far from asserting that the law is in a satisfactory state, is meant to show that nothing could be more unsatisfactory than a state of things in which the spirit and the letter of legislation are at variance.

I am aware the Catholics will not be satisfied—it is not in human nature that they should be so—to enjoy these privileges upon mere sufferance; they may admit,—the enlightened and liberal amongst them,—that in the reign of George 1st sufferance and toleration was as much as they could expect; but when a century of progressive toleration has been enjoyed without abuse, is it too much that, at the conclusion of so long and so meritorious a course of probation, sufferance should be changed into privilege?

For myself, Sir, I can, in the utmost sincerity of my heart, profess that there is not, and cannot be, in this House, or in this country, a more attached and anxious friend to the church of England than I am. I not only confess, but I am forward to assert, that the glory and stability of our state is inseparably connected with the glory and stability of our religious establishment. The church of England is the most admirable instance of the eternal goodness condescending to adapt itself to mortal necessities, the most wonderful combination of Divine wisdom, and of human expediency, that has appeared upon earth since the revelation of Christianity. For this establishment, to which I am bound alike by my feeling and my reason, I am now an advocate. Much as I respect the claims of our Roman Catholic fellow-subjects, I am not ashamed to confess, that my first and greatest object is the security of the established church. I would not diminish, I would not put into peril one jot of her dignity, one jot of her income, one jot of her splendour, one jot of her stability; but to preserve all these, to protect them even against fanatical sectaries, I think it prudent to conciliate the political affections of so large a portion of our community as the Roman Catholics. I do not conceal from myself that this ancient and venerable structure has many and powerful enemies; but it is that these enemies may not find lurking places under its very walls, that I would clear from about it the trash and ruins, relics of barbarous times, with which it is externally surrounded.

I look upon the church as the citadel of our happiness, founded, as I believe it to be, on the rock of eternal truth, and impregnable (if we have common sense and providence), by any human efforts. I would remove from its vicinity these miserable enclosures which serve not to impede, but to cover, the approach of an enemy; and which may render the defences of the body of the place more difficult and precarious. I desire that we who inhabit it may be able to look uninterruptedly round the whole horizon, over the whole plain which this magnificent edifice adorns and protects, in order that we may be enabled to guard ourselves from treachery, or surprise, or negligence; and, if we are to fight for our establishment, let us fight for it with all the natural advantages which its exalted position can give us; and let us endeavour to prepare for the day of trial, if it is ever to arrive, by making friends and auxiliaries of the surrounding people.

So deeply am I impressed with these sentiments, that it is not without anxiety that I perceive that the course which I am this night taking, may be attributed to other views; and I may be also allowed to express the most poignant regret, that I feel at differing on this first, and I hope last, and only, occasion, from the opinions of so many of those with whom I have the honour of concurring on all other subjects; and, above all, at differing from my right hon. friend (Mr. Peel), for whose public integrity and eminent abilities, I, in common with the House and the country, entertain the most unfeigned admiration; and for the private virtues of whose heart I may be permitted to say, that I have peculiar reason to feel the liveliest and most unalterable affection.

These considerations, and these feelings, have kept me long silent upon this subject; for ten years I have avoided, out of respect to the very prejudices of the friends of the church, and to the feelings of my right hon. friend, to take any prominent part in the Roman Catholic discussions; but—when it happened to me, in the course of my examination of the statutes, to find, or fancy that I had found, such anomalies, obscurities and contradiction in the present state of the law as I have stated,—I felt, and I feel that I should be guilty of cowardice, and treachery, to my personal honour, and to the public interests, nay, to the interest of the church itself, if I did not state the impressions which I had received, and submit them for refutation, if they should be found erroneous, and, if they should be found correct, for further consideration; and I hope it is no small proof of the sincerity of my motives, that I have taken this the earliest opportunity of exposing my opinions thus explicitly and candidly to the full investigation of parliament.

Here perhaps, Sir, I should end; but feeling still uppermost in my mind an anxiety not to be confounded with those who are indifferent to the supremacy of our church establishment, I am anxious to fortify myself with the opinions of a man whose affection for the constitution in church and state cannot be doubted, and who, by his admirable writings, has done good service, and great honour to both,—I mean Mr. Justice Blackstone. That eminent judge after having enumerated the penal laws, which, even in his enlightened days, still sullied the statute books, proceeds to say:—"This is a short summary of the laws against the Papists, of which the president Montesquieu observes"—

Here we have the greatest authority of France, combining with the greatest authority of England.

—"The president Montesquieu observes, that they are so rigorous, though not professedly of the sanguinary kind, that they do all the hurt which can possibly be done in cold blood; but, in answer to this, it may be observed (what foreigners, who only judge from our statute-book, are not wholly apprized of), that these laws are seldom exerted to their utmost rigour; and, indeed if they were, it would be impossible to excuse them, for they are rather to be accounted for from their history, and the urgency of the times which produced them, than to be approved, on a cool review, as a standing system of law. The restless machinations of the Jesuits, during the reign of Elizabeth, the turbulence and uneasiness of the Papists under the new religious establishment, and the boldness of their hopes and wishes for the succession of the queen of Scots, obliged the parliament to counteract so dangerous a spirit, by laws of a great and then perhaps necessary severity."—

—*Perhaps* necessary severity! Blackstone, we see, speaks doubtingly of the expediency of these measures, even in those times of the crisis and emergency. He proceeds:—"The Powder Treason in the succeeding reign struck a panic into James the 1st, which operated in different ways; it occasioned enacting new laws against the Papists, but deterred him from putting them into execution."—

A valuable admission from this great judge that the severity of such laws defeats their intention, and does not give the security for which they were framed. —"The intrigues of queen Henrietta, in the reign of Charles 1st; the prospect of a Popish successor, in that of Charles 2nd; the assassination plot, in the reign of king William, and the avowed claim of a Popish Pretender to the crown, in that and subsequent reigns, will account for the extension of these penalties at those several periods of our history."—

Heretofore this admirable author has spoken as a lawyer and a statesman; but, in what follows, he is almost a prophet. He supposes a state of things, and recommends a system of measures so applicable to the present day, that had I had his wisdom and his eloquence, I could not have used more appropriate expressions to describe our present situation and to inculcate our actual duties: —"But, if a time should ever arrive, and, perhaps, it is not very distant, when all fears of a Pretender shall have vanished, and the power and influence of the pope shall become feeble, ridiculous, and despicable, not only in England but in every kingdom in Europe, it probably would not then be amiss to review and soften these rigorous edicts; at least till the *civil* principles"—And here Blackstone marks the word civil with emphasis, in order to show his opinion that their religious principles cannot be a just cause of exclusion:—"Till the *civil* principles of the Roman Catholics should again call upon the legislature to renew them."*

Such, Sir, are the sentiments which I feel, but could not have so well expressed. Such, Sir, are the sentiments of a man whose reputation as a lawyer and a philosopher stands high amongst the highest of our country; and, if there be any shade upon that reputation, it is because some persons may consider him as having been too zealously attached to the monarchical and ecclesiastical parts of our constitution.

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* Commentaries, vol. 4, p. 57, 58.

The latter part of the opinion of this eminent man leads me to say, that I am not an advocate for any concession to the Catholics as a matter of naked right, and of abstract justice. Our whole being, physical, moral, and political, is a system of expediency and compensations; and what are called the natural rights of man must always be merged in the paramount claims of society at large.

We sacrifice to one another, for the good of all, some portion of those powers with which God has physically invested us; and the few, and even the many, must be curbed and restricted in the use of any portion of that natural force, which they should appear disposed to abuse, and which might endanger the general happiness and security of a social and political state.

If, therefore, the case supposed by Blackstone should arise; if, from some unforeseen combination of circumstances, the Catholics should again become dangerous to the constitution, I hold that we should have the right—I am confident we should have the power—of again placing them under all necessary restrictions.

From the pope it seems next to impossible that such a danger should arise; and if they should perversely attach themselves to an archbishop of Jerusalem, or some such ecclesiastical bugbear, we should, I apprehend, find it not more difficult to deal with him and his followers, in these enlightened days, than it was to restrain the Roman Catholics during periods when the pope exercised a respected, a real, and a paramount authority throughout Europe.

What! Sir, in the days of Elizabeth, and of James, and of Charles, and that creature of popery James the second, our young, unexperienced and unassisted church, was able single-handed to control the court of Rome, leading on all the other courts of Europe; and we are now to fear, that the pope—shorn of his spiritual lustre, clipped of his temporal possessions, abandoned, betrayed, or attacked by his former allies—is to be too strong for this great country, which has restored him to his humbler throne, and vindicated the rights and liberties of Europe!

We used formerly, Sir, to hear complaints from the Protestants of the influence of the court of Rome in our internal concerns. The times are altered, and the nature of the lamentation is wonderfully changed; and we have of late years heard of nothing but of the complaint of the Catholics, against the unjustifiable influence of the king of England in the councils of the pope.

The right hon. gentleman (Mr. Grattan), with that candour and magnanimity which distinguish his exertions in this House, has not rested the claims of the Catholics upon their good conduct, or their loyalty, such an asssumption however true it might be, was not necessary to his argument. He boldly meets the whole difficulty of the case, by asking, "And if they be disloyal, who made them so?"

Is it in human nature that exclusion should not produce party, that jealousy should not produce irritation?

The Catholics are men, and they would be more than men if the system under which they have suffered, had not produced uneasiness and dissatisfaction; but if that uneasiness and dissatisfaction have existed in a mitigated and controllable degree under a system of provocation, are we to suppose that it would revive, with irresistible malignity, under a system of conciliation?

What, on all creatures, is the effect of the lash, but to make them pursue their course with a blinder, and more headlong fury? Jealousy and severity may have produced distrust and disaffection, but by the very same operation of our nature, moderation and kindness must generate mutual confidence, and a reciprocity of affection.

I beg pardon of the House for having occupied so much of its time, and I thank it for the favour and attention with which it has indulged me; though I am aware, Sir, that the attention has been paid, not to me, but to the force and interest of the subject on which I have had the honour to address you.

Mr. *Leslie Foster* said, that if the arguments of his right hon. friend should not completely gratify the Roman Catholics of Ireland, it would at least have the effect of astonishing them. It would discover to them the amazing secret, hitherto unsuspected by any human being, that they had for a century past been in full possession of the object of their pursuit. Even the office of lord chancellor had been quite open to their ambition.—He took leave, as a lawyer, to say, that he differed entirely from his hon. friend. The argument professed to rest itself on the confusion which was imputed to 160 statutes relating to oaths and declarations, but resolved itself finally into the simple proposition that the annual Indemnity act received within its protection the Roman Catholics equally as every other description of Dissenters. He could not agree in this conclusion; the very recital of the act forbade such a construction —"whereas divers persons have, through ignorance, absence, or unavoidable accident, omitted to take the oaths;"—would it be said that it was either ignorance, absence, or accident that prevented Roman Catholics?—Every Roman Catholic, every member of the community knew that they were prevented by a religious and moral impossibility; and was it to be contended, that the legislature alone should be ignorant of the circumstance;—farther, he denied that the annual Indemnity act did afford any practical protection to a person entering into office, and neglecting to take the oaths. It did not receive such a person within its pale until the second year of his official existence: during the first he was at the mercy of every informer, and subjected to the most grievous forfeitures and penalties that every proceeding in the way of information could inflict: for instance, he would suppose a Roman Catholic promoted to the bench of justice, admitting, for the sake of argument, that he could be seated on it without taking any preliminary oath; and supposing, with his hon. friend, that the new judge should insist upon his privilege of postponing the taking of the oath; how long, he would ask, might he postpone it? Only till the next term, or next quarter sessions;—the law of Ireland was express upon that point. And after such term or sessions should have elapsed, where, he would ask, was the bar to an information? Not in the Indemnity act which had then last passed, for its operation is expressly confined to neglects, absences and accidents, that had occurred prior to the passing of the act. Nor yet in the Indemnity act, which was to follow, for at the time in question, it would by the very supposition, not have been called into existence; the Roman Catholic judge would, therefore, be at the mercy of the informer.—Amongst all the laws referred to by his hon. friend, he would say with perfect confidence, there was not a clause that would afford him a shadow of defence. He admitted, that if the first year should elapse without such information being proceeded on, the annual Indemnity acts, so long as they should be passed, would afford a practical security; but there was no security whatever except in the forbearance of informers, during the first year of the experiment—and here lay the fallacy of the argument of his hon. friend. It made no distinction between the years of safety which the Roman Catholic might ultimately attain, and the year of vital peril through which he was to proceed towards the enjoyment.—The case with respect to parliament admitted of no doubt whatever. Every member whom he addressed, was liable at the pleasure of the House to be called at any moment to the table, and to take the oaths anew; and this was provided for by the statute of Charles 2nd, expressly for the purpose of preventing the possibility of Roman Catholics sitting among them.

He could not pursue this branch of the subject any farther. He really did not feel himself at liberty to endeavour to follow his hon. friend in his ingenious course through the mazes of all the statutes, repealed or unrepealed, that had a reference to the subject; for the purpose of disproving an opinion, which for aught that appeared, had never before been entertained, and which if well-founded would only lead to the conclusion that the Catholics were so unreasonable as to press their petitions upon the legislature, for the attainment of a good which they already actually possessed. The House was assembled that night in the unusual numbers which he had the honour to address, not for the purpose of being amused by a display of legal ingenuity, but for the graver purpose of determining on the substantial merits of a question of great state policy. Whether the interests of the empire would best be promoted by conceding or withholding the objects of the petitioners.

He opposed the concessions on several distinct grounds. The first was, the actual state of the Protestant feeling in Great Britain on the subject. The symptoms of that feeling were not ambiguous: he felt certain that in that House, at least, he should not be contradicted, when he asserted, that at no period since 1807 were the Protestants of Great Britain so indisposed to the entertainment of the question. The number of their petitions was so great, that he knew not which to select for reference. It was more easily felt than avowed that the House going into a committee was likely to increase this feeling to a degree that Protestants as much as Catholics ought to wish to avert.

His second ground was, the indisposition of what he must consider as the vast majority of the Protestants of Ireland. It was easy to deny that such was their feeling; but he must be permitted to assert, that the number of Protestants in Ireland who wished the success of this petition bore no sort of proportion to those who resisted it. The number of Protestant petitions was certainly considerable in favour of the measure; but the number of petitioners was comparatively few. Such petitions proceeded principally from the Catholic districts of Ireland, where the Protestants were thinly scattered, and for obvious reasons inclined to comply with the wishes of their Roman Catholic neighbours; besides, he was far from denying that very many Protestants sincerely desired their success; still, however, he must consider them as few when compared with those who were of a different opinion. They who wished to estimate the Protestant mind of Ireland, must look to the northern province. Colonised by James the 1st, and possessing at this time far more than its natural share of the population, industry, knowledge, and civilization of the island, the circumstance reflected no discredit on the rest of Ireland. It was the necessary consequence of the more Catholic provinces having been more exposed to the destroying and barbarizing energy of the penal code; a system, of which, on every occasion, he had been foremost in expressing his reprobation, but which had long since been done away. Looking then to the Protestant counties of Ireland, he saw Antrim come forward with 19,000 signatures; Fermanagh, he believed, with 20,000; the counties of Down and Sligo, he knew not with how many thousand.

If other northern counties had not come forward with similar petitions, he asserted in presence of their representatives, that it was only because the gentlemen of most influence among them had interfered to prevent it, on the principle of its being desirable to avoid, as much as possible, every demonstration that might lead to the imitation of the Roman Catholics. A petition, signed by about 400, calling itself the petition of the Protestants of Belfast, had been presented by an hon. baronet in favour of the claim; but he had the authority of the representative of the county for saying, that 4,000 Protestant inhabitants of the same town had signed the petition which had been presented against them. Of the petition which had emanated from the Dublin rotunda, he wished to speak with every respect; it ought not, however, to have denominated itself the petition of the Protestants of Dublin. It was unworthy of either party to assume titles to which they had no claim, and this claim of the Rotunda petition was disproved by a counter petition, with near 6,000 signatures, including the names of 15 peers, and of great numbers of persons, the most influential and respectable in every class and profession of the Protestants of Dublin. The next ground of objection which he felt to the concession was, the feelings of the Roman Catholics themselves; and he confessed, that this operated with him far more than either of the other grounds which he had stated. All the petitions were silent on the point of securities, safeguards, or conditions; but the House was not therefore to assume, that the Catholic mind had undergone any change on that subject. The cause of these important topics being not so much as glanced at, was, the consciousness amongst the petitioners of the wild irritation which the bare mention of them never failed to introduce. Upon this point, however, the House had the benefit of experience. Every thing that could be devised and proposed, had been devised and proposed already. He agreed with the right hon. mover, in the tribute which he had paid to the talents, the knowledge, and the virtues of the authors of the relief bill of 1813; but just in proportion as they possessed all these qualifications, the chances were diminished that a better measure than theirs could be devised; and after all their consideration, all their labours, how did the Catholics view the measures for relief which that bill suggested? The laity in county after county, and meeting after meeting vied with each other in search of expressions to do justice to the extent of their execration of it. They pronounced it to be a law of penalty; that they preferred to it their present state of exclusion; that if persevered in, it would shake the empire to its foundation. While the clergy in their pulpits, and afterwards in a solemn synod of their bishops, declared that they could not submit to it without incurring the guilt of schism, and that, with the blessing of God, they would lay down their lives for it. Would any gentleman assert that the Catholics were now prepared to view the securities proposed by the relief bill of 1813 in any other light; or had any gentleman any other securities to suggest? And here, he would ask, what would have been the situation of the country, if the legislature, in 1813, had thought proper to pass that bill for tranquillizing the Catholics of Ireland. The Protestants dissatisfied, the Catholics indignant, every thing conceded;—and when the first opportunity should arise for carrying into effect the securities provided, the executive government would find it necessary, as a small preliminary, just to inflict martyrdom upon their five and twenty prelates; and all to tranquillize the Catholics of Ireland. He begged not to be understood as approving of the securities provided by the bill of 1813; he considered them perfectly illusory; abundantly able to irritate the Catholics, but completely inefficient, and some of them, he thought, almost ludicrous, when proposed to guarantee the constitution. For himself, he had never heard but of one principle of security that appeared to him worthy of consideration, and that was one which, under the present feelings of the Catholics, was perfectly unattainable. He would not term it a security so much as an arrangement, which, in his view, would go a great way to neutralize the dangers to the establishment which would otherwise result from the concession of political strength to the Catholics. He alluded to the creation of a connexion between the Roman Catholic clergy and the executive government, by the payment of regular stipends to the former, and communicating to the latter a certain degree of power in selecting the individuals who were to fill the highest stations; not a mere power of rejection, but of positive nomination. It was not a vote, but a vote which he thought likely to prove itself of any practical advantage. There never existed in any country a body of men who had so extensive an influence over the heads, the hearts, and he would add the hands, of the population, as the Roman Catholic clergy possessed in Ireland. They were able to give, and able to take away, the affections of the people from the government, and if at any time these affections had been estranged, it was because, in time past, the government had waged a war upon that priesthood, which had produced an inevitable reaction on their part. He knew that he should be much misrepresented in Ireland upon this point, but he felt that he was not recommending any plan for an improper purchase of their clergy, but only what might be sufficient to create that feeling of good will which he hoped was inseparable from human nature, towards the source from whence benefit proceeded. Nor did he seek to extend, in any alarming degree, the patronage of the crown, but merely to confer on it the power of selection for a few of the sees of greatest consequence, from amongst Roman Catholic prelates, previously nominated, or ordained in whatever manner might be most agreeable to their own wishes.

Such a measure would, in his opinion, soon prove itself more efficacious than all the oaths that his hon. friend had adverted to, or all the securities contained in the relief bill. But it was useless to discuss such an arrangement: there was no term of abomination that would not be now lavished on it by the Catholics—no form of reproach that would not be heaped on the proposers of it. The Irish parliament might have effected it. Perhaps hereafter the united parliament might have to deal with a degree of conciliation, moderation, and good sense, which might warrant the consideration of the question—but at present there was not one of the friends of the Roman Catholics who would seriously desire that it should be entertained.

It was a favourite supposition with many members, that it was possible to assign a limit, to which, if concession were carried, the satisfaction of the Catholics would be complete. The Irish parliament had fallen into this mistake, and he begged of the House to mark the progress of demand. In 1778 the whole penal code was repealed, and all rights of property conferred. No person approved more than he did of that measure of concession. In 1792, the claim for political power was first advanced, and accurately defined by the highest Catholic authority—a regular convention sitting like a parliament in Dublin.

By their secretary they promulgated their declaration that the whole extent of their demand was confined to four objects:—" They think it necessary to declare, that the whole of our late application (I now use their own words), whether to his majesty's ministers, or to men in power, or to private members of the legislature, neither did nor does contain any thing more in substance, or in principle, than the four following objects:—first, admission to the profession and practice of the *law*,—secondly, a capacity to serve as county *magistrates*,—third, a right to be summoned and to serve on *grand and petit juries*,—fourth, the right of *voting* in *counties only* for Protestant members of parliament; in such a manner however, as that a Roman Catholic freeholder should not vote, unless he rents a farm of 20*l.* per annum in addition to his 40*s.* freehold, or else shall be in possession of a freehold of 20*l.* a year." They felt themselves called on to publish this resolution, in consequence, as they stated, " of reports having been circulated, that the application of the Catholics for relief, extended to total and unqualified emancipation."

Well—all this ultimatum of Catholic desire was conceded to them—nay, much more; for the elective franchise was not confined to 20*l.*, but extended to 40*s.* freeholders;—a fatal mistake of the Irish parliament—introducing into Ireland that universal suffrage, the idea of which you so deprecate in England; and assigning to it religious enthusiasm as its actuating motive. It was worthy of observation, that after this extra measure of concession, so far from being contented, the Catholics in two short years afterwards, approached the Irish parliament with such fervency of entreaty for admission into the two Houses of Parliament, that lord Fitzwilliam, who was then lord lieutenant declared in a speech delivered by him after his recall, that the Irish Catholics would go into rebellion if they were refused; and who can vouch for the future conduct of a vast collective body of men? The friends of the Catholics of 1793 became their sponsors as to the extent of their desires. The Catholics of 1795, disclaimed being bound by their promises. He did not say this as a reflection on the Catholics. It was a principle of human nature to wish to advance, and to consider the good which is attained to-day, only as the means for the attainment of a farther good to-morrow. Yet now, the sponsors of the Catholics assure you, that unrestrained eligibility is all they seek for. —Indeed! will nothing further remain to be desired? Are they to stop precisely at that point which falls short of enjoyment and possession? He could not conceive a greater infatuation than that on which this part of the argument was grounded; and when he was asked, how was this possession to be obtained—by the sword, or through the senate?—he would say, that it never would be acquired in one day, or sought for by any one proposal, but proceed from the silent and gradual operation of causes which must inevitably lead to such a result. It was the very reason which was assigned as inducing the necessity of concession, which also constituted its danger; namely, the predominance of the Catholic population, and the tendency of property to proportion itself to population, and of influence and of power to proportion themselves to property. This was in fact the principal Roman Catholic argument; but it was also the chief ground of Protestant apprehension. When the time should arrive, which the Catholic argument assumed as inevitable, that three-fourths of the county members, three-fourths of the grand juries, three-fourths of the judges, three-fourths of the magistrates, should be of their persuasion, could any one suppose that Catholic feeling would not be the influential principle of the Irish government? Of this at least he was certain, that every Catholic would then feel that it ought, and he believed that many Protestants would find it no easy matter to refute that opinion. Under such circumstances it would be by no one law or vote, much less by an appeal to force, that a real Catholic ascendancy would be established, but by the successive compromises of party in this House with the Catholic interest of Ireland. And could any one suppose that the Established Church of Ireland could be long maintained in such a state of things? How powerful would be the arguments against it! How many even of its present friends, might then begin to think it a question of doubtful policy, whether it ought any longer to be upheld! How strongly would then be felt, and how openly expressed the dissatisfaction of the Catholics, at what they would then assail, as a political anomaly rather than a religious error. Give us but this, they would say, and you shall have Ireland, the most peaceable country in the globe. But if we are to suppose that England should set herself against the progress of Catholic ascendancy, then you introduce a new principle of evil, namely, a desire for the separation of the islands, which must become the general feeling of the Irish Catholics. When once their perfect political equality is acknowledged as a principle, either England must acquiesce in their proceedings to reap the fruits of it in possession, or she must oppose it. If she acquiesces in it, a Catholic ascendancy becomes inevitable, and with it the downfall of the establishment. If she opposes it, she suggests to the Catholics the separation of the islands, as the only measure which can give them the practical enjoyment of every thing that they can wish for. It was long since the union of church and state had been adopted as a vital ingredient of the British constitution. It had been resorted to, not near so much in its character of divine truth, as a principle of civil safety. The constitution, in truth, interfered not in matters of theological dispute, however the oaths which had been referred to that night, might at first sight appear to warrant the supposition. Transubstantiation was required to be denied merely as a test and as a criterion, but it was to the political Catholic, and not to his religious creed that the law objected, and it was merely as a means for ascertaining and excluding him, that transubstantiation was referred to. For every other purpose, a man's creed might be what he pleased, but the constitution had ever since the reign of Charles the second, closed all the avenues to power against the professors of the Roman Catholic religion, as a necessary means for upholding the establishment of the church of England. The perfect union of church and state a principle of all others the most irreconcileable with Roman Catholic tenets became finally understood at the revolution, and it was through a course of bitter experience that England came to the conclusion that we must assign to the national religion such undisputed pre-eminence as to crush all hopes of rivality in other sects, and further secure to the state the co-operation of its powerful influence on the minds of its followers. During the reigns of our early kings, the disunion of the church from the throne, was a never-failing cause of internal discord and external weakness. When united even by the rude hands of Henry the 8th, the union conferred at least a degree of peace and strength. In the reign of Mary, there was misery and weakness again. In that of Elizabeth, happiness and glory. The reign of James prepared the downfall of the established church upon a new principle, but the experiment of sacrificing it to the Protestant sectaries answered no better than the restoration of Catholicism, and the quiet which we have enjoyed since the Revolution, the very abstraction of men's minds from all thought upon the subject, ought, if rightly understood, to speak as strongly in favour of the principle of the establishment, as the crimes and misfortunes of the period which preceded it.

The church of England has grown with the growth of our civil freedom, been overcome when it was overcome, and triumphed when it triumphed. Like our civil constitution, it is a happy mixture of whatever there is safe and beneficial in the opposite extremes of liberty and power, adopting the free spirit, though not the tenets, which marks the church of Geneva, but tempering it by retaining the principles of supremacy and episcopacy, which characterised the church from which it separated. And never be it forgotten, that in Ireland it superadds the additional claim to your present protection, that in all times past, it has been your tenure of the island.

Lord *Normanby* rose and said:—Feeling as warmly, and as strongly, as I do upon the present question, I was most anxious at the first opportunity to request, for a short time, the indulgence of the House. I have not the arrogant presumption to suppose, that I could add any weight or authority to that which has been urged by the right hon. gentleman who originated this motion, but I trust that I shall at least do no harm to that cause, whose interests I have much at heart, if I show, by my zeal, in standing forward thus early in defence of this question, that amongst those most unconnected with that right hon. gentleman,—the youngest and the humblest,—there is blended with a distant and respectful admiration of his talents, an eager and close emulation of his enthusiasm. Admiring, as I did, the new and brilliant light in which this question was placed by my hon. friend who seconded the motion, I shall, indeed, rejoice if he has prevailed upon any one otherwise hostile to the question, to vote for the committee; for I am convinced, that in obtaining a fair and patient investigation of the case, we should sap the very foundation of that prejudice on which the opposition to the claims of the Catholics mainly rests.

I listened with the utmost attention to the speech of the hon. gentleman who has just sat down, for knowing, that in him we had to encounter one of the ablest and steadiest of our opponents, I expected to hear from him an epitome of all that could be urged against the motion. Had I previously entertained any doubts on the subject, I should now be convinced, by the line of reasoning adopted by the hon. gentleman, that upon no general grounds of justice or policy can the consideration of the question longer be resisted. The hon. gentleman has, in the very front of the battle, in the foremost rank of his arguments, marshalled in dread array, all the petitions which have been presented against this measure. I would tell that hon. gentleman, that this is precisely the subject where these petitions ought constitutionally, to have the least effect in pre-judging the fair examination of the case. Petitions can here afford us no local information which we have not in ourselves the means of appreciating. Petitions can here affect no separate interest which we do not as strongly feel. This is a question of great national policy, which must be left for decision to the unbiassed deliberative wisdom of this House. But there is another class of petitions which the hon. gentleman has passed over in silence, those in favour of the motion, which acquire a double value from the very circumstance which detracts from the weight of the adverse petitions, that they have no individual interest in that for which they pray. The motives of those who come disinterestedly forward to beg a boon in which they have no share, is far above suspicion. Their prayer is equally creditable to all concerned; as honourable to the petitioners, as invaluable to the Catholics. I shall not follow the hon. gentleman through all those arguments founded on the local prejudices and feelings of one particular part of Ireland, but place my support of the motion upon a much wider basis; for I feel, that in advocating the cause of the Catholics as it is now before the House, that we are maintaining those general principles of justice and toleration, which are the brightest ornament, and the best bulwark of that constitution, which we are accused of endeavouring to violate and deface. The remains of this penal system, I consider as the only unbroken link in the chain of British liberties; and for its iron grasp I would substitute that silken bond of social union which entwines our hearts and affections to the preservation of that which is dear to each, because valuable to all. From this sympathy of patriotism, founded upon a common interest in the maintenance of things as they are, the Catholics are alone excluded from all community of feeling, from all equality of pursuit, with those otherwise most closely connected with them by the nearest ties of fate and fortune; they are severed by the dreary chasm of civil disqualification; from every general object of patriotic ambition, the angry current of political exclusion isolates them. Is it too much to say of such a system as this, that unless it can be upheld by the paramount decrees of imperious necessity, that its wisdom and its justice are equally problematical?—that the wisdom of that system must be questionable, which ties the hands, and alienates the hearts, of so large and so respectable a class of our fellow subjects?—that its justice is not defensible, violating as it does those very principles of civil and religious liberty of which we vainly boast the theory, whilst we retain in our practice this stigma of persecution?—I say persecution, because in what does political disqualification on account of religious opinions (provided those opinions do not interfere with the faithful discharge of those duties from which they operate as an exclusion), in what does such disqualification differ from religious persecution, except in the degree of its rigour, or the severity of its enforcement?

Temporary laws may undoubtedly render temporarily necessary, obnoxious expedients. But the continuance of a violent or unnatural remedy, after the cause which occasioned its application is removed, is no less injurious to the political constitution of a state, than the physical constitution of an individual; and weakening and detrimental as the continuance of this system is to this part of the united kingdom, how much more extended and baneful have been its effects upon the other; preying as it did for a century upon her vitals, and poisoning the springs of her existence! But relieved, and revived as she has been in exact proportion to the mitigation of her sufferings, it is not to Ireland that we can trace the commencement of this system: totally distinct causes occasioned the enactment of the penal code against the Catholics in England, from thence forwarded to the servile parliament of Ireland, to be there retailed out like a second-hand garment huddled on an unwilling population, impeding its progress, crippling its exertions, and cloaking its perfections; for at that period, this Orange garb, in the luxuriant folds of which the hon. gentleman has this night so gracefully decked his arguments, was not even pretended to be suited to the taste or disposition of Ireland; it was worn as the badge of servitude, the livery of her mistress. I only refer, Sir, to the origin of this system, for the sake of showing, that if in England, the necessity for its continuance can be proved to have ceased to exist, that necessity can hardly be traced to Ireland: it can hardly be said, that independent of her connexion with England, and her subjection to the same laws, that intrinsically, and separately, her interests require the proscription, and degradation, of four-fifths of her population, or, that in the perpetuity of a system which has so long paralyzed her strength, and deadened her energies, is to be found a panacea for all her ills and all her misfortunes.

That the necessity has ceased to exist, we may fairly infer from a retrospect of the causes in which it originated, and in the history of the world there is hardly any state of things of which the changing hand of time has in the same period more altered the appearance, and obliterated the leading traits. We should now look in vain for that virulent spirit of controversy, which maintained by a pertinacious resistance to innovation on the one side, and an overbearing disposition to reform abuses on the other, magnified the errors of both, and widened the breach between them. To this we may attribute the original imputation of those doctrines, and tenets, so long the source of odium to the Catholics, but which are now by none more stigmatised, than by those of their authorities from whom they were formerly deduced, and of which we have the reiterated abjuration of the Catholics, and the disbelief of those even who are opposed to the present question. In what then does the difference between the Catholics and the established church consist—they conscientiously entertain certain opinions purely doctrinal, incompatible with the form of oaths which we now take, but in no degree inconsistent with the faithful discharge of any social or political duties. Does this call for the perpetual persecution of the British legislature? But if this necessity be not intrinsic in the Catholic himself, and inseparable from his doctrines, it will hardly be found now, in foreign influence or extraneous causes.

The experience of the last twenty years must at least have taught us, that the dangers we have to apprehend are not now as in the days of the Spanish Armada, or the campaigns of Louis 14th, those of religion. But it has been asserted in opposition to the claims of the Catholics, that we have restored the pope! It is true we have restored him to his temporal dominions, but in doing so we have rendered him no more formidable to ourselves than his neighbours, to the south or the north, king of Naples, or the grand duke of Tuscany. It is not in mortal power to restore that spiritual command, that mystic influence, which made him once so formidable to the greatest and most powerful. An attempt to hurl again the thunders of the Vatican, would shake to its foundation the tottering fabric, and bury in its crumbling ruins the empty symbols of departed power.

Collateral reasons, now equally obsolete, tended for a great length of time to the suspicious distrust of the Catholics. It was asserted, that their opinions of the royal prerogative were too arbitrary to be consistent with the safety of a free government; this argument can hardly be successfully urged at present; it is contradicted not merely by their own statements and conducts, but by the support derived to their cause from the exertions of the most distinguished friends of freedom. But to those who oppose this question, I will own, that at the period immediately preceding the enactment of some of those statutes which we now wish to repeal, at that period, the Catholics were distinguished for their loyalty;—not that loyalty which is nursed alone in the smiles of a court and the beams of favour; —but flourishing in the winter of adversity, and prevailing against the storm of rebellion. Then, the life and safety of Charles 2nd were trusted almost exclusively to about ninety Catholic gentlemen.— No temptation of certain reward—no fear of impending punishment which would have followed detection with aggravated violence on their devoted heads, could shake their faith, or stagger their loyalty. Yet the restoration was followed by some of the harshest enactments against the Catholics! They were, as has been stated by the right hon. gentleman, the monstrous offspring of a parliament, whose appetite was pampered by the vilest conspiracy that ever glutted a greedy and infuriated populace; whose thirst was only quenched with the pure and guiltless blood of the most venerable and respected nobleman of his day. Such was the proud origin of the Test and Corporation acts, and the exclusion of Catholics from parliament. So that we have the incontrovertible answer of the experience of a century, to those arguments founded on the incompatibility of a Catholic member of the legislature, with a Protestant establishment.

Again, to trace the continuance of the exclusive system to the present day,—during the greater part of the last century, the otherwise fading prejudices against the Catholics were retouched and revived by their supposed attachment to the cause of the Pretender. If I were disposed to waste the time of the House, by pursuing that argument, it would, I should think admit of doubt, whether religious feeling was the predominant motive in those abortive rebellions; whether a mistaken spirit of chivalry did not throughout direct the conduct of those ill-fated attempts. Whatever the cause may have been, the result has long been final, and previous to the birth of a large proportion of that assembly, which I am now addressing, the pretensions of the last of the Stuarts were confined to the harmless vanity of an epitaph, or the unattractive pomp of a sepulchre.

I confess, when in examining all the causes in which this system originated, I find them not only in substance obsolete, but even in recollection obliterated from the minds of the present day, I am at a loss to account for the feelings of those who still undertake the ungracious task of exclusion; I can hardly believe, that the speech which we have this night heard from the hon. gentleman, is that of a representative chosen at this period of the 19th century; I am willing to put the whole question at issue upon the conduct of the Catholics themselves, though I should be ill-disposed to allow that the conduct of any set of men belonging to that body, could be regarded as a ground for continuing the disabilities which extend to all. But I have no hesitation in saying, that their recent conduct has been such, as to merit the favourable consideration of the House; it has been mild yet firm, steady in the pursuit of their rights, yet loyal in the means by which they have sought to obtain them.

There are some who believe that if the Roman Catholics were made eligible to offices of high trust and importance, that in a short time, those offices would be filled only by them. If so, it would be a strong argument in their favour, for the tide of popular opinion must be strong indeed on their side, if such a consequence could reasonably be expected. For my own part, I entertain no such expectation; I believe that it would be an invaluable act of grace and justice to them without at all affecting the interests, or touching the ascendancy of any set of men in the community.

But we have been told that the Catholics are never content; that having obtained minor concessions, they still desired greater; that if they obtained these, they would be anxious for more. Of all the modes in which the present question has been resisted, I conceive this to be at once the most cruel, and the most unjust; it undervalues the boon it refuses to concede, and treats lightly the disabilities it continues to inflict; affecting a sort of innocent astonishment that the Catholics should not be perfectly satisfied to remain a depressed and obscured cast in the midst of liberty the most buoyant, and privileges the most unbounded; that they should repine when they see the benignant rays of the British constitution all around them, gilding talents the most humble, and merit the most obscure, but at one glance, blighting all their budding hopes, and withering their most seasonable expectations; that there should be any peculiar hardship in the anomalous situation of the representatives of some of the first families in the country, possessing the mockery of privilege without the reality,—rank without power, wealth without interest or influence. The lineal descendants of those who fought and conquered at Cressy or at Agincourt, doomed to an ignominious life of listless inactivity. The bare recollection, the mere recital of the heroic exploits of their illustrious ancestry, possessing infinitely more of substance and reality, more of an embodied form, than the shadowy and fleeting existence of their proscribed posterity. Who can refuse to pity the wounded feelings of hereditary nobility of soul, which must lacerate the breast of the father of one of this unfortunate race, when first called upon to check the youthful ardour of his offspring, to damp his glowing patriotism, and stifle all the proudest feelings of his nature with the bitter recital of his country's distrust, and his own nothingness?—"Your station is in obscurity; you are condemned to be a calm spectator of all that passes; an useless bystander in the hour of danger. Those services which from the lowest of your menial servants are accepted with gratitude; from you, are rejected with scorn. That name which animates with proud recollection the canvass on your walls, giving it a current value, a perennial existence; that very name, is in your living person, a blank in the hopes and expectations of your country,—you are exalted but to be excluded,—ennobled but to be degraded."

I have already trespassed too long on the time of the House, or I could proceed to show, that the present state of things is as absurd, as it is unjust; that we have either done too little or too much; but that fact has been sufficiently dwelt upon by my hon. friend who seconded the motion. I could also show by comparitive analogy with almost all the nations of the continent, that the present state of things is utterly foreign to the enlightened spirit of the age in which we live; that it is in the boasted liberality of the British legislature, that intolerance has found its last advocates; that it is in the dominions of the Defender of the faith, that that faith has found its last persecutors.

But I am content in conclusion, to rest the case of the Catholics principally upon this point:—Can any man sincerely, and solemnly affirm, that he believes the safety of the state requires the continuance of the present system?—Let that man, and that man only, vote against the present motion,—for it was upon that ground only that parliament could ever suspend that which could not destroy,—the dormant, but unalienable privileges of the Catholics, because the indisputable birthright of every Englishman. It was for the paramount claims of public security alone, that the legislature could in any instance, however limited, and for any period, however short, render penal that liberty of conscience, and freedom of opinion, which is coeval with the prosperity of the country, and perishable only with its decay.

I have, in the course of what I have had the honour to offer to the House as my sincere opinion upon this subject, not said any thing about securities, for when I see no danger, I cannot require any protection; but, if it should be the opinion of the sincere friends of the Catholics, that by any measure of this kind, men's minds would be conciliated to the question, I should be the last person to oppose such a consideration.

There is, however, one term frequently used by the ponents of the present question, and alluded to by the hon. gentleman to-night, against which I cannot refrain from protesting—that of an *equivalent.*—What equivalent can be offered by those from whom every thing has been previously taken, and to those by whom no sacrifice is to be made?—What equivalent can be offered by the Catholics for the restoration of their rights? But if reducing an act of grace to a bare debtor and creditor transaction, they still insist on an equivalent, they will find one—not, it is true, wrung from the hopes and fears of the Catholics;—but an ample equivalent in the union of all classes of their fellow subjects, and their joint co-operation in every common patriotic cause.

One word for myself before I sit down. Had I not been convinced of the paramount importance of the question itself; had I not entertained the most conclusive conviction of the justice of the cause which I have been advocating: I should not have presumed to intrude myself on the time and attention of the House. It is a question which no consideration shall tempt me for a moment to compromise, much less to abandon; nor can my feelings, on the subject be satisfied, until that period shall arrive, which for the credit of the liberality and justice of the country, I hope cannot be far distant, when the claims of the Catholics shall receive the united sanction of every branch of the British legislature.

Mr. *Brownlow* opposed the motion, and maintained that there was no modification in the Roman Catholic religion which could justify an extension of political privilege to its professors in this country. The principle which he advocated was supported by the practice of all the Catholic powers of Europe. They saw the encroaching influence against which they had to guard, and adopted measures to oppose its progress; those measures were founded upon the system of preventing the dangerous interference of foreign authorities in their states. To those who had seen and known the Roman Catholic church in Ireland, it would be scarcely necessary to say, that it was not weeded of errors which were objected to in other countries. The influence of the see of Rome was still predominant, and could not be eradicated. It was such influence that had occasioned the act of Charles 2nd in this country, and afterwards the similar measures which had been adopted in Ireland; and however much we might be disposed to condemn the policy of our ancestors, nothing had since occurred to justify a departure from the laws which they had established on this subject. He could see no reason why the bosom of the British empire was to be the only place in the Christian world where the influence of the pope was to be without control; and he trusted that it was not reserved for the reign of an illustrious prince of the House of Brunswick at this day to restore in this country that power to the Catholics which the legislature were obliged to expel from these realms for the security of a Protestant government. He was perplexed at the speech of the hon. gentleman on the floor (Mr. Croker), but his answer to it was this, that by all the statesmen who had ever spoken upon this subject, the constitution of England was considered and represented as being Protestant in all its parts.

Mr. *Becher* begged the attention of the House, while he offered a few observations on the question before it: they were those of a well-meaning, and he should hope an independent man; and he trusted, that, as such, they would not be without their effect. He would state, in as short a compass as possible, the reasons why he should vote for the motion; and he would do so, not because he thought the question so important to the Roman Catholics as a body, as to the general interests of the country at large. It was, no doubt, important to the country to which he belonged; but it was also highly important and interesting to England. What could be a more important subject than to consider, that there was a large portion of her subjects whom, after presiding over for such a length of time, she had not succeeded in making better? The question was of importance to Ireland, for it involved one of the most serious subjects connected with its welfare—that the great body of its peasantry had not that respect for the laws, which a similar class in this more favoured country entertained; and why?—Because they did not, in an equal degree, feel their protection. Was it not worthy of consideration, that England had gone on for nearly seven hundred years governing a nation without conciliating its affections; that she had not yet secured their attachment? But the fact was so. He mentioned the circumstance, not as a proof of any want of feeling in his countrymen, but because he conceived it to be the result of their constant exclusion from the benefits of those laws which they were called upon to obey. The thing was natural; it was what might be expected from a nation so governed. He would suppose a case, that any member of the House was excluded by political disabilities from that arena which was then before him; would not that member feel some abatement of his devotion to those laws which so excluded him? It was natural that he should. A system of proscription never yet produced an admiration of the laws which proscribed. He might be asked, why this should extend to Ireland; why they had not felt the same zeal for the laws as the people of England? He would use the privilege of his country, and answer it by another question;—Why were not the people of Ireland admitted to the same privileges? The Irish, who were so quick and intelligent in other points, would not be so stupid as not to see the benefit and evince their feeling of a similar mode of treatment with the people of England. The conduct of the Roman Catholics had been alluded to: that conduct he conceived had nothing to do with the question before the House, in the way in which it had been introduced. The conduct of some few Catholics had been mentioned, but it was an unfair criterion to judge of a whole sect or class of men by the acts of a few of its members; but supposing the conduct and disposition of those men such as they were represented, would not that be an argument in favour of the motion? The great body of them were badly treated, and in that bad treatment persons of the description alluded to had a ground to go upon. Under such a system, the speech of this or that man would have an effect which, under other circumstances, it could never produce. Remove the cause, and you deprive them of their only means of doing harm; continue it, and you give them every opportunity of effecting the mischief of which you complain. The great increase of the Roman Catholic religion was urged as an objection. He would admit, that it did increase, and was increasing, in equal proportion to the increase of population; but then he would say, do not give them such a ground as they now have; let it not be spread among them that they are persecuted for their religion, and you will remove one ground of their increase. They have not only strength in numbers, but in wealth; and if they cannot be opposed, they might be neutralised. To the continuance of the penal code he had also this objection, that it tended to keep alive those dissensions which had so long existed on the ground of difference of religion, that it irritated the Catholic without giving confidence to the Protestant. What must be understood of a church to support which it was found necessary to keep four millions of people, nearly one-fourth of the population of the country, in a state of political degradation? This might be said to be a weak argument; but take it any way, it could not be used in favour of the church, in whose support the system was kept up. It was, in fact, inconsistent with those principles of toleration which that church itself taught. To argue that the church would be in danger from the admission of Roman Catholics to political privileges, would be to repeat an argument which had been long used, but had never been proved to be correct. Arguments somewhat similar had once been urged against the slave-trade. It was said, that it would be the destruction of British commerce; but the time had arrived when such prophecies were found to be erroneous. And here he could not avoid observing upon the inconsistency of two systems so discordant. We had abolished the slave-trade upon the principle that slavery was incompatible with the usages of our constitution; but we still adhered to a code which enacted a species of political slavery, and that, too, for an adherence to a religious opinion. He was glad to see the harmony with which the present discussion had been conducted. It pleased him to perceive, that it was carried on without those animosities, which such a subject was calculated to excite. This was the surest way to come at a fair decision. He had entered into it with strong feelings in favour of the general principles which he had mentioned; but in candour he would admit that he had also a kind of personal feeling in it. He was interested as a Protestant, wishing to enjoy the full benefit of religious toleration; but he was also interested as an Irish subject—he was anxious that his tenantry should have an inducement to a co-operation in the execution of the laws of their country, from a feeling of the benefits which they enjoyed under them. This was a feeling in which every member who resided in that part of the united empire would concur. They would not desire the co-operation of their tenantry in support of the laws from a wish to please or a fear to displease, so much as from a feeling of the benefits which they enjoyed in common with those under whom they acted. In the hope that he might see this feeling fully established among his countrymen, he gave his most hearty and warm concurrence to the motion.

Sir *R. Wilson* contended, that the best answer to those who asserted that the people of the metropolis were adverse to those claims, was to be found in the fact, that no anti-catholic ground of preference was acknowledged by the electors of London, Westminster or Southwark, during the late elections. On former discussions of this question, when the subject was not so fully understood, petitions signed by 68,000 persons were laid on the table of that House, against concessions to the Catholics. Not a single petition from that great and enlightened body was on the present occasion submitted to parliament. Indeed, it was preposterous to think that after this country had restored or subsidized all the Popish powers of Europe—after we made such struggles for their establishment—that we should turn round on our own countrymen, who co-operated in all our exertions, partook of all our sacrifices, and who contributed to the renown and glory of our arms, and deny them the participation of those constitutional securities which they so patriotically defended and helped to preserve.

Lord *Lowther* was against farther concession, as it tended to weaken the stability of the Protestant establishment.

At the conclusion of the noble lord's speech, the cry of "Question! question!" became loud and general, and it was accordingly put from the Chair. The Speaker having called upon the Ayes and Noes, was of opinion that the Noes had it.

There was then a loud cry of "Divide! divide!" The Speaker gave the usual order for strangers to withdraw, preparatory to a division. The order was repeated, but without effect. Some of the strangers under the gallery at length yielded with apparent reluctance, but those in the gallery kept their seats, conceiving from the appearance below that the debate would go on. This expectation was founded upon the idea generally entertained, that it would be an adjourned debate, and the disposition shown by several members to address the Chair. Among these were, lord Castlereagh, Mr. Canning, Mr. Plunkett, Mr. Peel, Mr. Colclough, and some others. Mr. Plunkett presented himself twice; Mr. Peel also offered himself to the attention of the House, amidst loud cries of "Question! question!" A discussion then arose, whether, it having been stated from the Chair that the Noes had it, the debate could be resumed. The Speaker gave his opinion in the negative, and that as no member could afterwards speak to the question, any observations to the order of the House could only be delivered in the way of advice to the Speaker, by the member sitting and covered. Mr. C. W. Wynn then put his hat on, and taking his seat, cited a case from the Journals, to show that the debate was finally closed. A division then took place, when the numbers appeared to be, for the Motion, 242, against it, 248. On declaring these numbers at the table, Mr. Croker, one of the tellers, stated that it was his duty to report, that some members had irregularly entered the House after the question had been put, and the decision in favour of the Noes pronounced from the Chair, whose votes must therefore be disallowed. It was accordingly decided that the names of lords Worcester and Rocksavage, Mr. Bankes, Mr. Ure, and general Porter, should be struck off from the Noes, and that of lord Forbes from the Ayes. This left the real numbers,

| | |
|---|---|
| Ayes | 241 |
| Noes | 243 |
| Majority against the Motion | 2 |

Adjourned at half after one o'clock.

## HOUSE OF COMMONS.

*Tuesday, May 4.*

**Motion respecting State Lotteries.]** Mr. *Lyttelton* said, that in bringing the subject of the abolition of lotteries once more under the notice of the House, he expected to be blamed for agitating a question which had been so often decided that it might be as well if it were for ever abandoned. It was a question, however, neither frivolous nor unimportant; but on the contrary was of such consequence as to deserve the most serious consideration. But certainly he should not have presumed to bring it again before the House had he not perceived that the former discussions had made such an impression on the public mind, that perseverance alone was requisite in order to obtain ultimate success. If, on the one hand, it was discouraging to him to see his proposition disposed of in that House in the manner in which it had been on all former occasions, without even an argument being produced in favour of the system by its warmest advocates;—they thereby implying that they were determined to support it in despite of reason—so, on the other hand, that very circumstance was to him a source of hope, and confidence in the ultimate success of his endeavours. Ultimately, the public voice would be raised, effectually raised, against what was indefensible by sound argument; for in this country, the progress and efficacy of public opinion, though slow, were sure, and this was peculiarly the case with regard to questions of a moral nature. This had been proved by the success of several beneficial measures, which, though on their first proposal they had been opposed by party and by prejudice, had ultimately been carried with scarce a dissenting voice. The manner in which the abolition of the slave trade had been effected, was one glorious instance of the omnipotence of public opinion; and if another were wanted, he would refer to the long and arduous struggle in which those honourable members who were solicitous for a reform in the criminal code, had been engaged, before they could produce that recent and signal alteration in the sentiments of that House which had induced them to appoint a committee to examine into the severities and anomalies of which complaint had so frequently been made.

He ought perhaps to apologize for taking up so much of the time of the House as he inevitably must do in the remarks which he had to submit to their most serious consideration; but he hoped the importance of the subject would be a sufficient excuse. It was his intention, on the present occasion, to avoid making any appeal to the feelings of the right hon. the chancellor of the exchequer on the evils of the lottery system, because he was convinced, by experience, that any such appeal would be hopeless; and because, having the highest respect for that right hon. gentleman, he did not wish uselessly to say any thing that might be personally offensive to him, or that might deprive him, even for a moment, of his characteristic good humour. The *argumentum ad hominem* was good for nothing, if the *homo* did not mind what was said to him. Taking the question however, generally, and without reference or allusion to any individual, he would assert, and would endeavour to show, that the continuance of lotteries was indefensible in principle; whether they were considered with reference to the morals, the finance, or the constitution of the country. This prelude might alarm the House with the expectation of a long speech; but he assured them that he would try to compress and condense what he had to say, as much as possible. The moral reasons for the discontinuance of lotteries were so manifest, that it would really be a waste of time to insist on them at any length.—To raise money by lottery was not only to do that by public authority which it was held reprehensible to do in private life; but it was to act unhandsomely, unfairly, and ungenerously, to that public whom the laws ought to defend and protect. It was one of the grossest violations of its moral duty which a government could commit. In lotteries, all that was base in the practice of private gambling, was recognized and adopted by the state. Nor was it merely gambling—it was gambling combined with fraud. The right hon. gentleman opposite had formerly argued, that as there was always afloat a given quantity (not of Exchequer bills, as the right hon. gentleman thought, perhaps, he was going to say, but) of rank and detestable vice in society he had a right, as a financier, to turn it to the best account. "There is a spirit of gambling," said the right hon. gentleman, "in the community, which I cannot possibly extirpate; and as I derive profit from it, I ought to receive the thanks, and not the censure of the nation." In reply to that argument, he would remind the right hon. gentleman, that the doctrine, that private vices were public benefits, had long been exploded, and assuredly no argument in favour of it could be drawn from the peculiar effects of the lottery. But if any such argument could be sustained, yet, looking to the present mode of conducting lotteries, he would ask any impartial man who heard him, whether the villainous artifices which were resorted to, in order to provoke and excite the vicious spirit of gambling ought to be tolerated? The right hon. gentleman might try to shift this scandal from himself;—he might say that he did not personally resort to the expedients alluded to;—he might say, that as all ministers had their subordinate agents to do their dirty work, so he negociated with the contractors for the lottery, and the agents of the lottery, to do his dirty work for him. But there was an old adage which the right hon. gentleman might perhaps recollect to have heard at college—"Qui facit per alium, facit per se;" and upon that principle, the right hon. gentleman must be identified with the contractors for the lottery; whose conduct was as fine a tissue of fraud and avarice as could possibly be imagined. The moral guilt and atrocity of the system, therefore, lay at the door of government and of that House, which, by granting to government such a mode of acquiring revenue, were responsible for all the folly and roguery resulting from so impolitic and improvident a proceeding.

Having now considered the question in a moral, he would next examine it in a financial point of view; and here he could not help observing, that he did not expect to hear it argued, that what was morally wrong, might be financially right. The world was not so constituted as to admit of that. In spite of any temporary advantage that the commission of injustice might occasion, honesty always turned out to be the best policy; and experience uniformly proved, that every thing that was immoral was at the same time inexpedient. A tyrant might, by violence and extortion, fill his coffers at any one given time, to a greater degree than could be accomplished by a monarch who acted according to law; but, in general, the exchequer of the arbitrary sovereign would not be so well supplied as that of the prince who exacted only the revenue to which he was justly entitled; for a system of plunder rendered property insecure, and the insecurity of property relaxed industry, and the relaxation of industry diminished the greatest source of revenue that a nation could enjoy. But there was no difference between such a system of rapacity and violence, as that to which he had alluded, and the system of raising revenue by lotteries; except that the former was the less disadvantageous. All inducement to industry was weakened in both cases; but, in the latter, the corruption and vice which sprang from an extravagant spirit of gambling were superadded.

He had now disposed of two of the heads into which he had divided the subject. He was equally prepared to show that the system of lotteries was constitutionally erroneous. On examining the details of the bill annually passed to render lotteries legal, it would appear that the most extraordinary and arbitrary power was vested in one person, Mr. Hesse, the secretary of the lottery; who had from twelve to forty common informers in his pay; and the consequence was, that individuals were frequently imprisoned for offences committed against the Lottery act, on the testimony of those informers, against whose information, no disproof, except an *alibi*, could be established, was allowed to avail. Under the lottery acts, proceedings of low and excessive tyranny took place, which no supposed public advantage derived from those acts, could redeem. On that ground, therefore, he might denounce the lottery system as unconstitutional. The hon. member then, summing up his general argument against the principle of the lottery, and referring more particularly to its immorality, read an extract from Mr. Davison's well known Treatise on the Poor Laws, stating—" That the efficacy of human laws may be cast perhaps into the following scale:—their direct power to inspire men with the love of probity, diligence, and contentment, by positive command, is small; their power to restrain the opposite vices is far greater; their power to discourage or hinder good habits of character, by mistaken institutions, is greatest of all: because here they act at an advantage; and the institution and the bad part of human nature go together; whereas, in the other cases, they are opposed, and the enactment has to force its way."

The hon. gentleman, proceeding next to the detail of particular objections to the lottery, instanced first the frauds with which it was accompanied. There was a fraud in the gross misrepresentations which were daily circulated of the advantages to be obtained by the purchase of tickets; but that which he was about to mention was of a subtler and more unsuspected nature. It was the constant practice of the contractors to create a supposition among the public that a greater number of tickets was drawn on the first and second of three days' drawing, than actually was drawn. After the first day's drawing they posted placards all over the town, stating in large letters, " Capital wheel; only one prize drawn !"—and then raised the prices of their tickets considerably. After the second day's drawing, a similar farce was acted; and the public were induced to suppose that two-thirds of the tickets were drawn, when it frequently happened, that only one-fifth, and in some cases, not more than one-tenth of the tickets, had been taken out of the wheel. The price, however, was highly enhanced by the manœuvre; and of course much more than it would be if the real proportion of the tickets extracted from the wheel were known. In one lottery of 8,000 tickets, he knew that only 350 had been drawn on the first day; yet puffs were circulated, stating that a third of the lottery had been drawn. For any thing he knew, the gentlemen engaged in spreading these delusions might be honourable men—it might be happy for the credit of the opposite side, if they were not right hon. men.—After the first day's drawing of the lottery to which he had alluded, the price of a ticket rose from 19*l.* 10*s.*, to 20*l.* 10*s*; and after the second day, from 21*l.* 10*s.* to 29*l.* Was not such an enhancement of the price, so disproportionate to the diminished number of tickets, an imposition on the public? Was not that public cheated by it in the most barefaced and impudent manner? Was it fit that the public should be so cheated for the mere addition to the revenue of 250,000*l.* a year? There could be only one answer made to that question—that it was most unfit and unbecoming. The representation of consols at par was also a great fraud; and another had lately been practised, which, if it was not a fraud in the way he had hitherto looked at the subject, was at least a fraud on a great public institution. Bluecoat boys had formerly been employed in drawing the tickets from the wheel. On a representation of the impropriety of the procedure being made to the governors of that establishment, the governors concurred in the justice of the representation, and entertaining views on the subject different from those expressed by certain persons high in official situations, they prohibited the employment of their boys in that service of vice. The other day he had gone down to Cooper's Hall, the place where the rascally transaction of the lottery was carrying on; and, having with some difficulty obtained admission, he saw across a board, which was placed to exclude strangers, several grave persons (for rogues were apt to look grave, especially in the presence of their dupes), seated in the most dignified manner; and near them two boys, in the garb of the boys of Christ's Hospital, drawing the tickets from the wheel. These boys either were or were not, of that establishment. As he had not made inquiry, he could not positively say that they did not belong to it; but if they did not, and from the governors not being blinded by such prejudices as official gentlemen, he thought they did not, it was a villainous masquerade, adopted for the purpose of inducing the people to believe that the lottery had still the sanction of such intelligent individuals as the governors of Christ's Hospital. This fraud, if fraud it was, was practised in a place where every thing on which he turned his eyes, except the shabby transaction he was reprobating, was solid and venerable. As if to wind up the contrast to the highest pitch, " Love your Brethren," appeared in the old painted glass window above, while the poor were cheated below; the whole being carried on under the superintendence of men paid by the public; of men who were in the receipt of various salaries, from 100*l.* to 500*l.* a-year—nay, who every now and then, gained a clear 1,000*l.* a-year for dragging up some miserable wretches to the police offices; and thus obtaining, as it were, the sanction of the magistrates to their roguery.

So much for the frauds of the lottery system. He would next call the attention of the House to the superstition which it generated. Its effects in that respect on the ignorant portion of the population were most injurious. In various publications, and, as if it were to beard him in his own county, in the Worcester paper, the contractors for the lottery had inserted an alphabetical list of the places to which prizes had fallen, or, to use the language of the newspaper, to which the Goddess Fortune was most propitious. This account was no more doubted by the ignorant individuals for whom it was intended, than the efficacy of relics was in former times, or the truth of a gipsy's predictions at the present moment. But how stood the fact as to that circumstance? What was the result in those places in which speculations in the lottery had proved successful? Among those who heard him, there must be some hon. gentlemen who had witnessed the sad effects in a village or small town of the fatal good fortune of some speculator, whose example, encouraging other adventurers, had spread disappointment and ruin. He knew of one place in which the effect of one of its inhabitants gaining a sixteenth of a 20,000*l.* prize, had been most mischievous and fatal. Bideford, in the county of Devon, had had the misfortune to be twice visited by a golden shower of that nature from the chancellor of the exchequer. The consequence was, that the spirit of gambling raged there with redoubled ardour, and that the industrious habits of the people were completely destroyed. At another place, the same results had emanated from the same cause; and he did not know whether they had not very materially increased the heaviness of the poor-rates in that place. At Sheffield the lotteries had been productive of such evil consequences, that Montgomery, the poet, who was the proprietor and editor of a paper there (the Sheffield Iris), and of whose talents and virtues every one must speak with respect, voluntarily abandoned the large annual profits which arose from the puffs and advertisements of the contractors, by excluding them from his journal.

He must also say a few words with respect to another way in which endeavours were made to debauch the morals of the people. It was a great aggravation of the dirty system, that it was promised to pay the winners of certain prizes in wine. Had gin been offered, the public would have been shocked at once; but wine was presumed to be a gentlemanly and attractive liquor. " Wine and Gold" were the baits thrown out to catch the populace. The right hon. gentleman's financial operations had rendered the latter so rare, that a Jew in a corner would give a good premium for it over and above its legal price; and the offer of it by the contractors operated therefore as an additional temptation. They called out to the public " Come all you sots and misers as well as you foolish fellows; take out of our bag, and make yourselves happy." He had nearly forgotten to mention one of their frauds—the misnaming of prizes. That was called a prize, by which a man lost only half his money. It would puzzle the most ingenious members of that ingenious profession the law, to persuade a man who had been robbed of only half the sum taken from another that he was a favourite of fortune; yet that was what was daily done with regard to the lottery. The contractors did not entirely pick the pockets of the purchasers of tickets: but they half picked their pockets; and in his opinion they deserved to be half hanged for it. Whoever said that a man who, having paid 20*l.* for his ticket, received 10*l.* at the lottery office, had got a prize, lied; and whoever believed such an assertion, was an arrant fool. He held in his hand a copy of the Gazette, which contained a scheme of the lottery drawn in November and December last; from which it appeared it consisted of 14,000 tickets, of which 2,865 were prizes; and consequently that there were 11,135 blanks. But of the 2,865 supposed prizes, 2,810 were prizes of only 10*l.*—that was they were prizes the purchasers of which having given 20*l.* for them were cheated out of only half their money—so that in reality there were but 55 prizes deserving of that name. As the number of tickets was 14,000, it was therefore 253 to 1 that the purchaser of a ticket obtained a *bona fide* prize. Was not this most barefaced and villainous cheating? Did ever any man keep a pharo table on such terms? Was there ever any description of gambling like it? Ought such a system any longer to be endured? It was the most lavish mode that could be devised of raising money for the service of the state; for it was a mode by which the public were made to pay largely, while the Exchequer received but a comparatively small sum. The profits of the contractors were enormous. In the lotteries for the whole year, in which 60,000 tickets were sold, while government received only 300,000*l.*, the public were made to pay between 600,000*l.* and 700,000*l.*; the difference, after deducting the necessary expenses, going into the pockets of the contractors.

But, supposing the sum raised by the chancellor of the exchequer from this source were much greater; what could compensate for the infliction of so much vice and misery upon the people? What could warrant a government in being the instruments of degrading and debasing a people? If the nation were pressed with difficulties, it was more than ever bound to adhere to the rules of the strictest rectitude; it would then maintain a grandeur in its distress—a magnificence even in its ruin. Much better would it be to act on a system diametrically opposite to the present: instead of having recourse to measures which corrupted the people, to reject every proposition of a questionable character; to adopt a simple and consistent course of legislation; and to endeavour to improve and enlighten the people by the establishment of schools and other suitable means for that purpose. It was an incontrovertible truth that a high sense of virtue and justice was the strongest safeguard of national independence. The strength of a country was essentially connected with its morality, and such resources as were derivable only from a violation of morality ought to be rejected as beneath the dignity of a great nation. He once more entreated the House to reflect on the inexpediency of such an excusable and temporizing system. He hoped that the public voice would be raised against it. If hitherto that voice had been silent, it was attributable to the arts which had been practised, and to the success of those infamous contrivances which had been so long pursued, but which he trusted would soon meet with general reprobation. Nearly all men of sense and character out of doors were united in their opposition to this most odious mode of raising money; and he did not despair even that night of seeing the House of Commons come to a vote that would free the nation in future from this infectious visitation.—The hon. gentleman concluded by moving the following Resolutions:

1. "That by the Establishment of State Lotteries, a spirit of Gambling, injurious in the highest degree to the morals of the people, is encouraged and provoked:

2. "That such a spirit, manifestly weakening the habits of industry, must diminish the permanent sources of the public revenue:

3. "That the said Lotteries have given rise to other systems of Gambling, which have been but partially repressed by laws, whose provisions are extremely arbitrary, and their enforcements liable to the greatest abuse:

4. "That this House, therefore, will no longer authorize the establishment of

State Lotteries under any system of regulation whatever."

The first Resolution being put,

The *Chancellor of the Exchequer* said, he was astonished that any man in the present state of the country could seriously propose to abandon a sum of nearly 300,000*l.* raised by means which were less felt by the people, than any other which could be resorted to. The advantage to the revenue from the lottery on the whole, independent of all collateral advantages, amounted to between 2 and 300,000*l.* a year, and a saving of interest of 30 or 40,000*l.* a year; in all a sum of about 300,000*l.* He really did not see why a man might not invest a small portion of his savings without blame in the purchase of a ticket for the lottery. If he were obliged to admit that the principle of gambling was called forth by a state lottery, he should think the objections of the hon. gentleman to it good to their utmost extent; but the hon. gentleman, forgetting that the principle of gambling existed, independent of the state lottery, very unfairly argued, that it was attributable to the lottery. Now, he was prepared to contend, that the spirit of gambling, instead of being called forth, was kept in check by the state lottery. The state lottery offices were obliged to keep up establishments, which operated as checks on the little-goes, which were much more ruinous to the common people. This was proved by the papers on the table. From these it would be seen, that for the last three years, while the prosecutions for insuring in the state lottery had decreased, those for private lotteries had increased. In 1816, there were forty-five prosecutions, for insuring in the state lottery, of which thirty were convictions. In the little-goes, in the same period there were twenty-six prosecutions, and twenty convictions. In 1817 there were twelve state lottery prosecutions, and eleven convictions; thirty-four little-goes, and twenty-nine convictions. So that it was evident the decrease in gambling was not to be affected by the relinquishment of the state lotteries. It was said that last year additional inducements were held out in the shape of prizes in wine; for this the government were not answerable, for the contractors had held out this additional inducement to purchasers, and so far from its being a fraud, it was an actual bonus intended beyond the ordinary amount of the regular prizes. He would yield to no man in a wish to promote the best interest of the public, and the best morals of all classes of the people, and he hailed the benefit which education conferred upon the habits of society; but until the improvement became more generally operative, so as to prevent the evils of gambling upon different speculations among the lower classes, he could see no reason, standing in the official situation which he held, to abandon so lucrative a branch of the revenue without having some equivalent held out by which the public would derive an equal benefit. He did not mean to oppose the arguments which the hon. gentleman had advanced against a lottery, but he could not now consent to renounce a sum, the place of which must be supplied by some tax, which would operate more oppressively on the people.

Mr. *Agar Ellis* agreed with the hon. mover in thinking that a state lottery was attended with the worst effects on the morals of the people; and that it held out a temptation to gambling. He concluded with expressing his determination to support the motion.

Mr. *Fowell Buxton* observed, that the chancellor of the exchequer had by no means replied to the charges advanced against the lottery. The right hon. gentleman did not venture to assert that it was a wise and virtuous system; but merely that it was not so deplorably vicious as it had been represented by his hon. friend. There might be differences of opinion as to the extent of the evil; but that the lottery was an evil, that it produced crime and diminished industry, was admitted by the right hon. gentleman; for he had not attempted to deny it. The right hon. gentleman had begun his address by saying that he would speak first as to the revenue, next as to the morality of that tax; but, as if a certain fatality hung over every assurance upon that subject, as if no hope was to be realized and no promise to be performed, to which the lottery gives birth, the right hon. gentleman had been abundantly copious in proving its productiveness, which no man disputed—silent, however, in defending its moral consequences, which every man impeached. That silence on this material part of the subject must be construed into a confession of the truth of what had been advanced on the other side. The question might now, therefore, be brought to a short issue. All were agreed as to the facts; and the only difference was as to the inference to be drawn from those facts. It had been stated by the right hon. gentleman, that the lottery produced a great revenue—it had been said by his hon. friend that that mode of raising revenue produced great immorality. The simple point in dispute therefore was, whether the House set more value on the morality which they surrendered for the money, or on the money which they gained by the immorality? Whether the country, even in its present burdened state, was so reduced and distressed as to render it indispensable that it should sell its morals for 300,000*l*. Here was a tax which impaired the integrity of the people; which was injurious to their industry, and which excited in them the most delusive and ruinous expectations. The only answer of the right hon. gentleman was, the set off of 300,000*l*. Now, if the House thought that a proper set off, they ought to reject the motion of his hon. friend; but if they thought that no pecuniary compensation ought to induce them to countenance an acknowledged evil, to encourage fraud, to impair the industry and degrade the character of the people, then he trusted his hon. friend would gain a triumph and the right hon. gentleman sustain a defeat, both of which would be entirely merited. His hon. friend had stated, that the existence of village lottery clubs had not come immediately within his own knowledge, but that he had heard of their existence. His (Mr. Buxton's) principal purpose in rising was, to mention some facts that had come under his own cognizance, as to the demoralizing tendency of lotteries in country villages. A benefit society for the support of the sick and the aged had been established, a number of years ago, in a village in which he had spent much of his early life. One of the members of it was a person he knew very well, the gamekeeper of the family; and he and others paid their weekly contributions with cheerfulness, and satisfaction, confident that the result would be, in case of misfortune or ill health, to avert the greatest calamity and degradation which they thought could befal them; namely, that of becoming chargeable to the parish. It happened, however, very unfortunately, that in a town only a few miles distant an association of a very different kind had been formed for the purpose of speculating in the lottery. By that association a prize was gained of between two and three thousand pounds. No sooner was this news heard in the village, than the benefit society fell into disrepute. All became impatient of the slow mode of accumulating the savings of their earnings as a resource for their age, and anxious to obtain wealth with the rapidity of their neighbours, a lottery club was established, and old and young subscribed with alacrity. Fifteen years had passed, during which time he had heard nothing of either establishment, but with a view to the question before the house, he had lately taken the pains to inquire into their fate. He found that the lottery club had failed. His old friend the gamekeeper, who had belonged to it, told him that fortune had been singularly unpropitious to them, that they had drawn a great many blanks, and that, what was still more incomprehensible they had been ruined by their prizes as well as by their blanks. In the end, the club had been abolished, and in its fall it had drawn down with it the benefit society; that most useful establishment which, with a wise foreknowledge, was to provide for the decrepitude of age out of the savings of youth and industry. That valuable institution had failed; and it had failed entirely in consequence of the infatuation and system of fraud encouraged and sanctioned by government; and he had no doubt that many of the members of it were at that moment suing for relief from their parish, who would have been receiving back their own savings if government had not encouraged their folly. The right hon. gentleman supposed, that there was a certain quantity of the spirit of gambling in the constitution of every man, and that wisdom was shown in so directing that spirit as to make it contribute to the revenue. But in the village to which he alluded no such spirit existed, or if it did exist, it remained latent until it was brought into action and fostered into fruitfulness by the circulation of lottery schemes, and the prospect which they held out of rapid aggrandizement. Perhaps it might be said, that there were but few instances of that kind in the country. It was however impossible to enter any village within a few miles of London without seeing those large dazzling red letters and enormous placards, sometimes pasted on walls, and sometimes on travelling caravans, but always full of lavish promises of unbounded luck to early adventurers. He held in his hand a curious document, which, with the permission of the House to whom he was bound to apologize for having so long detained it, he would read. It was the prospectus of a lottery issued some time ago, and published by the editor of a paper who he believed was a man of strict integrity, and whose account might therefore be depended on. The grand total of the scheme was 10,400 tickets. There were 54 prizes, some of a larger and others of a smaller amount; and there were 10,200 blanks, including some prizes of a very low denomination. The fact appeared to be, that of those 10,200 blanks, 10,000 were, on a fair calculation, held by about 100,000 persons. He would here remark, that it was a most important question, who were the principal sufferers in a lottery. The editor of the paper in question gave a description of the shares sold by him in that lottery of a particular number; and the station, employment and address of those who bought them. That single ticket was held by 28 persons, an important fact; because it showed that the lowest persons were those who most generally became the dupes of the lottery; and a fact to which he particularly adverted, because it was lately proved in the evidence given before a committee of the House, that in the workhouse of the parish of Spitalfields; that was, in the very poorest spot in London, the poor actually subscribed to buy a lottery ticket. The money was raised by those unfortunate people after some time and with some difficulty, by instalments of from one halfpenny to sixpence each, was so expended; and was lost. Returning, however, to the paper, he there found it stated, that one sixteenth of the ticket in question was sold to a young woman in servitude residing at Camberwell, formerly in better circumstances; one to the female servant of a tobacconist where another servant had resided to whom not long before a share of a 20,000*l.* prize had been sold; another sixteenth to the servant of a gentleman in Mark-lane; two others to two poor widows; and two more to other persons in situations equally inferior. Now, all this went to show that it was exactly the most poor and the most ignorant who were the dupes of lotteries. It was most cruel, by such a system of delusion, to make a poor female, said to be born to better expectations, only the more miserable, in consequence of the distraction of mind caused by the disappointment of unfounded promises. It was indeed a cruel, a mischievous tax, of which two poor widows were made the victims. Among the names cited in the little record which he had described were those of two tradesmen. On that point, seeing in their places a worthy alderman who had paid much attention to the subject of insolvent debtors, and an honourable friend of his who had devoted much of his time to the consideration of the bankrupt laws, he would at once refer to them whether adventuring in the lottery was not that step which but too frequently led to bankrupts and insolvencies? A case of that kind had very lately come under his inspection. From particular circumstances it became necessary for him to look into the affairs of a person who had become embarrassed; and he found that what by postponing payment to some of his creditors, paying others in part, and borrowing of his friends, he had raised a sum of 400*l.* all of which was lost in the lottery. Then as to confidential clerks, it was notorious that they were often the greatest speculators in the lottery. A friend of his a banker (than whom the kingdom did not produce a more experienced banker, or a more respectable man), had told him that he never knew an instance of fraud among his clerks, without finding that the parties by whom it was committed had had some previous concern with the lottery. In short, the system was productive of the greatest evils. Lotteries absorbed the earnings of the poor; and what was worse they absorbed their principles of honest industry; for it was well known, that when a man once engaged in gambling speculations, he became averse to the performance of his ordinary duties, and indifferent to the petty earnings of his original avocation. The whole of the lottery system was one of fraud, seduction, and specious robbery, intended to intoxicate the minds of the poor and ignorant, to inflame their passions, and to excite their cupidity. He had no doubt himself that gambling was a passion which when once excited could not be destroyed. It must find a vent; he had as little doubt that, of the thousands and tens of thousands of instances wherein the tradesman had defrauded his creditor, the servant robbed his master, and the clerk embezzled the property of his employer, the greater number had been the result of the delusion thus held out by government. It was singular that the right hon. gentleman had asserted that the lottery put an end to little-goes, and had nevertheless stated that 55 detections of persons engaged in the latter practice had taken place during the present year. The right hon. gentleman had also said that the lottery brought in yearly 300,000*l.* Now, for the seven or eight hundred thousand pounds extracted by the lottery from the pockets of the public, only 300,000*l.* reached the right hon. gentleman; and from that sum certain very material deductions were to be made. The direct tendency of the lottery was to produce paupers, and to make rogues. He would therefore call on the right honourable gentleman to deduct from his estimate the money necessary for the support of those paupers and rogues. Whether the sum was large or small that government derived from lotteries might perhaps make a difference to some honourable gentlemen. To him it made none. No one—not even the right honourable gentleman could deny that the lottery was a system of gambling; and therefore a financial expedient altogether unworthy of a great nation.

Mr. *William Parnell* thought the chancellor of the exchequer could have no difficulty in giving up this tax, and substituting some other in its stead; in the mean time, if the money remained in the people's pockets, it was as much as was necessary according to the good old maxim of queen Elizabeth, who considered it, when there, as secure as if it were in her own keeping. The right hon. gentleman would only have to exercise a little of his accustomed ingenuity in devising new plans. The right hon. gentleman had defended the establishment of a large lottery as necessary to catch small lotteries; he had often heard the maxim, " set a thief to catch a thief;" and improving upon this maxim, the right hon. gentleman thought the only way to catch little-goes was, to establish great-goes. The chancellor of the exchequer had a great quantity of public and private integrity; he was in the possession of such a degree of character as would allow him to change his mind without being ridiculed. His character stood high for integrity in the largest sense of the word. The perceiving in such a character, a blot like that of encouraging gambling and immorality struck one with a harsh and disagreeable surprise. It was something like a moral tooth-ach. It was a surprise like that felt by the readers of a well-known novel of Fielding, his Amelia, who, after taking a warm interest in the heroine, finds out in the middle of the novel that she had lost her nose. It was astonishing to see what things could be done by the best characters with a good conscience. The conscientious opposition of many to the Catholic claims, and the encouragement of the lottery by the right hon. gentleman might be illustrated by a circumstance mentioned in a work with which the right hon. gentleman might perhaps be acquainted—it was the Life of a Mr. Newton, who he believed was a Methodist preacher, written by himself. This religious man had afterwards a better sense of these things, but he went on with the Slave Trade for three years, before he found out that he was wrong. When he found out that he was wrong, he gave up his slave ship, and anathematized the trade. Such, he had no doubt, would be the case with the chancellor of the exchequer. The most extraordinary argument in favour of lotteries adduced by that right hon. gentleman was, as to the relative quantity of vice resulting from lotteries and little-goes; thus turning vice to account, as was done in Holland, where certain establishments were licensed by government which he dared not name. Seriously speaking, he did not think the character of the chancellor of the exchequer was worth more to the country than the 300,000*l.* raised by the system he supported. But that right hon. gentleman he observed, always connected the character of administration with the moral and political character of the whole country. The system was one that was absolutely an anomaly. He had often been surprised why religion should be regarded with something like indifference by large classes of the people. He accounted for it by supposing the existence of some such inconsistencies as these. He did not often pry into the secrets of government, but he should like to ask the right hon. gentleman whether he ever bought a lottery-ticket himself? If not, why would he recommend to others that which he himself rejected?

Mr. Alderman *Wood* considered it very extraordinary that the chancellor of the exchequer should have talked of the suppression of little-goes, when his own statement had shown a large increase of them during the last three years. He was prepared to show, on the contrary, that little-goes were encouraged in consequence of lotteries. The worthy alderman proceeded to detail the manner in which fraudulent insurances of numbers were effected; the infatuation being so great, that in the house of one of those wretches who existed by these nefarious means and who had accumulated, from the credulity of his dupes, 100 guineas in gold, 75*l.* in silver, and a large hoard of copper, which were discovered at the same time, a paper was found, containing a list of the names of the insurers: they were of various classes—clerks in public offices, merchants, and tradesmen. The wife of a servant of his, an industrious man who earned at his employment two guineas a week, had carried her conviction of the efficacy of those insurances and the certainty of her obtaining a prize so far, that she completely ruined him, and he died amidst want, disease, and wretchedness, of a broken heart. There were various ways in which the money of the lower classes might be applied with much more benefit to their interests than by dealing in lotteries. The saving banks, for instance, were calculated to promote a moral and virtuous feeling among them. He himself had used his utmost efforts to have a saving bank established in his ward, and he hoped ultimately to do so; but, where lotteries were established, little-goes were to be found in abundance, in consequence of which the lower classes were induced rather to speculate with, than lay by the surplus of their earnings. It was extraordinary that the chancellor of the exchequer, who was found the first to support all public institutions, should support this system; that he should advocate the expenditure of immense sums for the building of churches, and at the same time support a measure which was calculated to keep a great portion of the public from approaching them. He felt himself bound, on every view of the subject, to give the motion his support.

Mr. *Wilberforce* could not help congratulating the House on finding that no gentleman on the other side, save the chancellor of the exchequer, had attempted to stand up in support of the lottery system. He considered this system as a fraud which was carried on to the injury of the country, and which ought to be put an end to as soon as possible. When he saw his hon. friend (Mr. Buxton) upon his legs, he really thought (not having been in the House at the opening of the discussion) that the question related to the state of gaols; but when he had listened a little to his hon. friend, he found that the subject was one which only related to the manner in which the avenues to those gaols were filled. He concurred with his hon. friend in the drawback that ought to be made from the nominal amount of revenue, which the lottery was said to produce. The system itself was a great evil—it was at variance with the principles of the best system of public economy—it went to paralyze the vigour of industry—it went to attack the social independence which a statesman ought to cherish in a free state. A calculation had been made of the sum which was to be raised by this system, and it appeared that it amounted to about 300,000*l.*; but what was this sum compared to the virtue, morality, and industry of the people? How was it to be valued by those who considered how much the one tended to lower, and the other to raise the grandeur and independence of society? Much argument had been used against the poor laws, as tending to demoralize and destroy the independent feelings of the lower classes; but how could any argument be used against those laws, by those who supported the lottery system? If the principle of the argument against the poor laws was to be followed to its conclusion, where could a sacrifice be made with more propriety than in the present instance? If the necessities of the state required that the deficiencies should be made up, let it be done by the public. In whatever manner it was done, it must be a much less exceptionable mode than the present. Why should they, acting like the foolish man, who, though accustomed to give away large sums of money, when he saw a treasure put out on his table intended for a friend, could not persuade himself to part with it—why should they hesitate to give up 300,000*l.* because it was not perhaps convenient? At the same time, he thought it but fair, when they demanded a sacrifice of the minister for the public good, to substitute some other measure of fair principle in its stead. There was now, he thought, a reasonable prospect of the lottery being abolished; since it had been long almost entirely supported by his right hon. friend the chancellor of the exchequer.

Mr. *Canning* thought, the question had been taken up on most unfair grounds, and treated in a manner quite foreign to the subject. The object of this motion was, to deprive government of 300,000*l.* yearly, and to abolish one of the oldest taxes existing in this country. His hon. friend had said, that if the chancellor of the exchequer gave up the tax, it was their duty to provide him with a substitute; that if this tax were given up on moral grounds, they were to provide an unexceptionable one in its place; but it should seem now, that the burthen of finding a substitute was to fall, not upon those who took away the old tax, but upon those who were to lose it. But his hon. friend well knew, for among all the transcendent abilities which he possessed, he thought his tactic in debate one of his greatest—his hon. friend knew as well, and better than he did, that lately they were asked to repeal the salt tax, because it was injurious to agriculture, commerce, and the morality of the people. They were asked also to repeal the leather tax, because it was highly injurious to the agriculture, commerce, and morals of the country. Nay, among other immoral taxes, very lately they had been applied to, to abolish the spirit tax in Ireland, as exceedingly injurious to the agriculture, commerce, and the morals of the people. Even the window tax was thought to be equally hostile to the morals of the people. Now, he wished those gentlemen who were for repealing all these immoral taxes, would take the trouble of putting their amount together, and to see whether, having done so, they could suggest a *pro rata* for the quota furnished by immoral statutes; for, in spite of all the declamations they had heard about the life and adventures of a servant maid, every body well knew that taxes always bore hard on the people. To abolish those taxes now, one by one, without at the time providing sufficient substitutes for each, and without waiting for the period at which a general remission of the taxes might take place, would be to wander in the dark, and uselessly to incur the risk of discovering that they had parted with means which were indispensable to the safety of the country. Now, did the hon. gentleman suppose, that he had said one word about the tax in question, which he (Mr. Canning) could not say, *mutatis mutandis*, of the spirit tax? His hon. friend, no doubt, well knew Hogarth's two celebrated prints, in which the effects of gin are so strikingly pourtrayed, possibly with the view of inducing a severe tax upon that article. But what ought to be done? If they followed up their reasonings against the mischief of spirits, let them abolish under penalty the use of them. He was not quite sure that he was correct, for he spoke without book, but he believed the lottery had existed ever since the revolution. The whole industry of late times had been employed to reform, as fast as possible, the abuses growing out of old statutes; and if any body could, he wished he would find out the practicability of correcting the abuses and excrescences growing out of this and other taxes. Supposing those excrescences taken away, he could not conceive one, as to the manner, amount, or time of payment, less exceptionable than the lottery. The evils which had been adverted to, arose either from insurance, or from the small division of the tickets. Now, in former times, he recollected tickets being divided into 32 parts: and he believed they had even been subdivided into 64 portions. The number of shares had since been contracted to 16, and the temptation which had been held out to the lower orders to purchase was thus considerably narrowed. If the hon. mover thought it would ameliorate the system to withdraw 16ths, he believed his right hon. friend would not be unwilling to adopt the suggestion. But, if they wished to remove the source of a tax that existed in all countries, and which had been tolerated here for a hundred years, gentlemen must make use of stronger arguments than those they had adduced. Throughout the debate a personal appeal had been made to his right hon. friend; and, because his right hon. friend was known to possess a strong sense of moral duty, ridicule was attempted to be cast on him, for maintaining a tax which he had not created, but which he found long formed and established when he came into office. The feelings of the man were assailed, in order to make him morbidly sensible of the difficulties which intervened in the performance of his duty as a minister. Those who knew him not might ridicule him for that which was, in truth, the ornament of his character—for that which gave an assurance to the country of his honour and integrity—for that which might stand in the stead of qualities, that he might not be supposed by some to possess in an eminent degree. He hoped, however, that no taunts addressed to him, as an individual, would lead him to forget that he had great public duties to perform, one of which was to provide for the exigencies of the state—and that he would feel that his conduct was not open to blame because he adopted the inherited expedients of the greatest men in this country, who had filled the situation before him.

Mr. *Wodehouse* declared, that after all he had heard, and anxious as he was to support the finances of the country, he could not give his vote in favour of a tax, which added to the revenue only in proportion as it spread immorality and crime amongst the people. Amongst the lower orders, the spirit of gambling sometimes led to robbery, and in some cases to suicide. It destroyed the only source of a poor man's character and happiness. In the present situation of the country, he was ready to support the continuance and imposition of any taxes which, without corrupting the morals, might be necessary to enable the government to meet the difficulties with which it had to contend. But the right hon. gentleman's comparison of this mode of raising money to the duties on spirits, appeared extraordinary when proceeding from a person of his talents and acuteness of mind. The lottery was not so much a tax as an invitation to crime; the tax on spirits had, in fact, an opposite tendency, and served to discourage the abuse of them. With regard to the observation, that lotteries were resorted to in other countries, it might be said, that so were expedients, at which it was impossible for Englishmen not to be shocked. Both at Paris and Spa considerable revenue was derived to the state from licensed gambling tables: but this system, bad as it was, appeared to him less disgraceful and pernicious than that of our own lottery, because it affected only the higher orders, whilst the lottery operated chiefly on the lower.

Mr. *Plunkett* wished to offer but a very few observations, after the able manner in which the subject had been discussed by several of his hon. friends. He found it impossible to sit silent on hearing the doctrine avowed by his right hon. friend, and finding what the ground was on which the lottery was defended by his majesty's ministers. It was not denied—that it produced crime, and that by such production it contributed to the revenue. He admired the talents of his right hon. friend, if he would allow him so to call him, and he knew it must be foreign to his sentiments to overlook the eternal distinction between right and wrong; but the truth was, that the whole of this argument resolved itself into a question of moral feeling. The question was, whether the House could be induced to foster the propagation of misery and crime, for the sake of an apparent benefit to the revenue? They had been told of the long continuance of this system; but the age made no impressions on his mind in its favour: if it were as old as the foundations of the world, this was no reason for protracting its existence. He was sorry to hear the right hon. gentleman attempt to treat with levity the allusion which had been made to female servants, as if that class of society were unworthy of regard, and their morals or happiness not the objects of legislative protection. It was not easy to discover the analogy between a lottery and the taxes on salt, windows, or spirits. These were not the direct causes of immorality; and although impoverishment must always tend to weaken moral principles, it could not be said of those taxes that they created a vice, in order to make a revenue out of it. Of all the duties incumbent on a government, there was none more sacred or pre-eminent than to act as the guardian of public morality; but the system which he now deprecated served only to undermine it, and to introduce every species of misery and disorder amongst the humbler classes of society.

Lord *Castlereagh* thought he had some right to complain of the mode in which the hon. and learned gentleman had treated the argument of his right hon. friend, whose observations must be fresh in the recollection of the House. It was quite a misconception to suppose that his right hon. friend had defended the lottery, on the principle of its being productive of crime, and that its mere advantage to the revenue was notwithstanding a sufficient justification of its continuance. All that had been urged by his right hon. friend was, that evils might grow out of the lottery as well as from the use of spirituous liquors, which when taken in moderate quantity might conduce to health. In Ireland spirits had been found extremely beneficial in the fever which had lately prevailed; but when an indulgence in them was pushed to excess, and became connected with perjury, conspiracy, and other offences attendant on illicit distillation, what would otherwise be a wholesome beverage, or innocent recreation, was changed into a source of mischief. Gambling was no doubt not a thing to be approved, but it afforded a resource which all nations had adopted, and the adoption of which was sanctioned by the highest names. He was far from wishing to see the House stand still upon questions of moral improvement, but he trusted that it would not be led away by the refinements of a spurious and false morality, which would seek to connect every tax with some deterioration of character among the people. For his own part, he believed that such views were not calculated to promote the real interests of virtue in society. Many abuses in the lottery system had been corrected; but if the details of individual life were to be gone into, no doubt some instances might be produced in which, by transactions of this nature, persons had brought suffering on themselves. But in every line and pursuit, imprudence or vice might be discovered, and were commonly followed by similar consequences. There was no branch of revenue which would remain, if its operation in sometimes leading to a voluntary sacrifice of individual happiness was to be considered as a sufficient condemnation of it. His right hon. friend was fully aware of the importance of public morality, and regarded it as one of the most sacred deposits with which a government could be entrusted; but he knew also that the strength of the country ought not to be sacrificed, that its revenue was its strength, and its strength the best security for its morals.

Mr. *F. Douglas* said, the House he hoped, would recollect, that it was conceded by ministers that they had no other way of raising the sum of 250,000*l.* than by adopting a measure, which tended to subvert the morals of the country. A right hon. gentleman had challenged those who opposed this tax to find a substitute for it. They had found substitutes for it—they had done so, four years ago, when they proposed a diminution of the army—they had done so on every occasion, when they called on ministers to adopt some measure of retrenchment. If their advice had been taken, ministers would not now have been compelled to defend this measure on such weak and futile grounds. The right hon. gentleman had complimented the chancellor of the exchequer on his virtues, and had complained, that an attempt had been made to cast ridicule upon him. He did not mean to ridicule those virtues for which the private character of the chancellor of the exchequer was said to be remarkable; but he begged leave to observe, that, if such an attempt had been made, it was not peculiar to that side of the House from which he spoke; for he believed the right hon. gentleman who made the remark, had often indulged in the same propensity, at a time, indeed, when he was not the colleague of the present ministers. The chancellor of the exchequer, in arguing this question, threw himself on the commiseration of the House. He admitted all the evils to which the tax gave birth, but he pleaded the necessity of the state. The right hon. gentleman and the noble lord defended the measure, on the ground of its antiquity and its generality. But the slave trade was as old and as extensively patronised, before England took the first step towards its abolition, and declared that she would not be bound by precedent, where morality and justice were concerned. The noble lord said, that the drinking of spirits might produce all the evils which were derived from this measure. This was very true. The evil, in that case, however, flowed from the abuse; but the lottery was clearly an evil in itself. When gambling-houses were licensed abroad, the tax was laid on the keepers of them; but here the chancellor of the exchequer was himself the keeper of the gambling-house, and received the profits for the use of the state.

Mr. *W. Williams* deprecated in strong terms the encouragement of lotteries, as giving rise to a spirit of gambling, and tending to demoralize the lower classes of society. They were condemned as a nuisance by an act of king William, and he doubted, therefore, whether their antiquity could be very great. He strenuously supported the resolution.

Mr. *Colclough* said, that although a residence of five and twenty years on the continent might, in some degree, have affected his fluency, his sentiments on the subject of lotteries was perfectly unaltered. He recollected being asked by certain foreigners, in the year 1795, what price the public, in this country, paid for the lottery, and what benefit they were entitled to reap from it? On calculating, he found, that the lottery in England cost the public about one-third. He then looked to the Genoese lottery, which was introduced into France, and on which Mr. Professor Bertram, at Geneva, had written a very curious treatise. That lottery consisted of 90 numbers, of which five were drawn every month, and those five numbers, as combined or taken separately, were prizes. This cost the public but one-fifth. He next examined the lottery of the Hanse Towns of Germany and of Switzerland, and he found the expense only one-tenth. Comparing this with the English lottery, which cost one-third, ministers could not maintain it on a financial principle. In Italy, the whole sum received was expended in prizes—and the person claiming a prize, paid one-tenth on receiving it at the office.

Mr. *Ricardo* supported the motion, and pointed out the evils which arose from the drawings of the lottery so often in the year. He quoted the resolutions of a society to which many of the ministers belonged, deprecating the lottery; and observed, that they were thus condemning, as individuals, the law which they came to support by their votes.

Mr. *Tierney* said, he would vote for this motion, not because it was brought forward by his hon. friend, or by any person who was in the habit of thinking as he did on political subjects; but deliberately, from the best consideration he could give the subject, connecting the morals of the country with its financial arrangements. He conceived so trifling a sum as 250,000*l*. was badly, not to say disgracefully purchased, by a measure which had so pernicious an effect on the morals, comfort, and peace of society. No man was less willing to take from the resources of the country than he was, knowing the greatness of the expenditure, and nothing but the immoral effect of this tax could induce him to call for its abolition. The sum was trifling; and, if the ordinary loan for the year were to be 20,000,000*l*. there could be no great difficulty in adding 250,000*l*. to it. The right hon. gentleman said, that those who opposed the tax ought to find a substitute for it. That was not the case; but, if there were an addition of this kind made to the loan, they certainly were bound not to oppose it. The president of the board of control had said, that the chancellor of the exchequer was not to be charged with any evils that flowed from the lottery system. He denied the position; for lotteries now were very different from what they had been. The same right hon. gentleman said, the chancellor of the exchequer would have no objection to withdraw the sixteenth shares. But he was sure the right hon. gentleman would not agree to any such thing. What he greatly objected to was, that the right hon. gentleman left the arrangement of the lotteries solely to the contractors, who were at liberty to deal out the prizes just as they thought fit. It was a singular thing, that this was the only measure that had been brought forward on which his majesty's ministers acted together. The question was, the morality of the country in one scale, and the money in another; and on this point ministers were all agreed. "Take the money," said they, "and let morality provide for itself." But the chancellor of the exchequer had gained a great prize—he had drawn a prize more pleasing to him than the 250,000*l*.—he had excited the admiration of the president of the board of control!—He advised him, however, not to be too much elated; for he rather thought, if the right hon. gentleman embarked in that little-go he would live to repent it [A laugh!].

Mr. *Huskisson* said, that under the present plan of the lottery there were only 12 days of drawing, however they might be divided; but under the old plan there were 40 days of drawing in London, besides another lottery with 40 days drawing in Dublin, and in each place insurances were effected on the lottery in the other. The evil of these insurances was, as had been proved to a committee of the House, fifty-fold as great as those which arose out of the lottery itself, and it was on that account that the present system was adopted. He argued, that the rage for gambling was not created by the lottery, but would, if the lottery were abolished, break out in some other direction; that the evils of smuggling were as great as those of the lottery, and might also be remedied by abolishing all taxes. It was easy to say, add 250,000*l*. to the loan. When it was proposed to abolish the window tax in Ireland, it might be said, add 300,000*l*. to the loan; but the persons who lent their money would expect to have their interest paid, and the question still remained, How the necessities of the country were to be supplied?

Mr. *Lyttelton* replied. He said, it would be impertinent in him to attempt to add any thing to the forcible arguments which the House had heard against the lottery. He had not appealed to the virtue of the right hon. the chancellor of the exchequer, or founded his argument on his character as a man of piety. He had purposely abstained from such appeal, already been conceded by parliament. Their lordships might remember, that, in 1816, on the last occasion when he had the honour to present a petition from the English Catholics, he had stated a case of great hardship which had occurred in the naval service. He alluded to the case of captain Wright—a gentleman, who, after six of his brothers had fallen in the cause of their country, had at last, by a long service and his own merits, obtained the appointment of master and commander. But from this reward so dearly purchased he could reap no advantage, without taking an oath which amounted to the abjuration of his religion. When he had stated this case, the hardship was generally acknowledged; and, in 1817, a noble viscount on the opposite side introduced a bill for the relief of Roman Catholic officers of the army and navy, by putting them on the same footing with other dissenters who are relieved from their disabilities as a matter of course, as regularly as the year comes round. He had seen with great satisfaction the silent progress of this measure, which passed without any opposition. He felt the more gratification at seeing this measure pass unopposed, when he found it to be in substance and effect neither more nor less than that for the proposing of which the administration of 1807 went out of office. He stated this for no other reason than to show, that strong prejudices, resting on grounds which reason could not avow, were sure to be ultimately overcome, and to warn their lordships not to admit, without inquiry, assertions of the impropriety of granting relief to the petitioners; for from what had happened, they must see that the same measure which was at one time asserted to be fraught with the greatest danger to the church and state, might be granted at another as an act not only of justice but of security. This measure had certainly afforded great relief to Catholics in general; but the English Catholics, whose petition he was about to present, still remained subject to several oppressive laws, from the operation of which their fellow subjects in the sister kingdom were free. That the Roman Catholics of both countries should be placed on the same footing was what he believed no reasonable man would deny. But it was not for that degree of relief he should apply; for he looked forward to nothing less than the admission of that unjustly oppressed class to all the privileges of the British constitution. And what time could be more propitious to the performance of such an act of justice than the present? The head of that religion, so long placed under the power of a military and ambitious chief, and therefore represented as likely to exercise a dangerous influence in this country, had been restored to his temporal authority chiefly by British efforts. All apprehension on that ground was therefore done away; and it was to be presumed that gratitude to this country would induce the head of the Catholic church to accede to every regulation which might be found necessary for the security of this country. Fully correspondent with this state of the Catholics were the sentiments and feelings of the most enlightened portion of their Protestant fellow subjects towards them. His noble friend had presented a petition numerously and respectably signed by Protestants in Ireland in favour of the Catholic claims. Many other petitions to the same effect had come from different quarters. In this country the cause which he advocated was rapidly gaining ground, and their lordships could not overlook what had happened on Monday night in another place, where a motion in favour of the Catholics had been lost only by a majority of two. This was a decision which could not fail to recommend most strongly the prayer of these petitions to their lordships serious consideration. The peace, he trusted, would be of long duration; but their lordships surely could not have forgotten the many embarrassments which had, during the late contest, been experienced in consequence of the divisions that subsisted in the country. He hoped that the prospect of war was remote; but, as statesmen, they could not avoid looking forward to the possibility of such an event. With France on the one side, and America on the other, would it be wise to expose ourselves to all the evils of internal discontent, along with the chances of war with either of these powers? Who could be certain that the refusal to listen to just demands might not some time or other produce movements of despair? Such a result was consistent with human nature. He wished, therefore, to impress it on their lordships consideration, whether it would be wise to defer to such a period the making a concession which, at the present moment, would be received as a boon. The measure would then lose all the grace with which it might now be granted, and would be infinitely less advantageous in point of security. The Roman Catholics of England had hitherto manifested a patient submission to laws of the most unjust and oppressive nature. If loyalty and attachment to the constitution as citizens and subjects; if the faithful discharge of every duty; could recommend men to the consideration of their lordships, none were more entitled to that consideration than the Catholics of England. He would not say that the religion which gave to the world men of such character was necessarily free from objection; but this he would assert, that the religion which trained its followers to such virtues ought not to exclude those who professed it from privileges enjoyed under the British constitution by every other class of men. He concluded by presenting a petition signed by a great number of Roman Catholics, praying for the removal of the disabilities under which they labour.

The Earl of *Liverpool* had of course no intention to offer any opposition to this petition being laid on the table, and should not have felt any disposition to say a word on the subject, had not something which fell from the noble lord rendered it necessary for him to trouble their lordships with a few observations, not with the view of discussing the subject, but of preventing misunderstanding when it came to be discussed. Above all, he hoped it would not be supposed that he intended to offer any objection to the motion for laying on the table a petition which he knew to be signed by many of the most respectable individuals in the country, and with some of whom he had lived many years in habits of friendship, and of the worthiness of the character of others he was able to bear testimony. The noble earl was perfectly correct in stating that he had acknowledged that there could be no objection to the Roman Catholics on the ground of immoral principles or doctrine. He, and those who concurred in opinion with him, opposed the claims of the Roman Catholics on constitutional principles only—on the ground that it was necessary, for the security of the church and state, that the existing laws should be maintained. Under these circumstances he should have remained silent, had not the noble lord thought proper to call their lordships' attention to a measure which passed two years ago. He was anxiously desirous to state what was the fundamental distinction between that and the other measure with which the noble lord had compared it. The noble lord was correct in his reference to the case of an individual, as having given occasion to the alteration in the law. He would readily admit that no claims could be more respectable; but he could not admit that a hardship incidental to the state of the laws, would be a reason for abrogating them, if in other respects it was fit that they should be continued. When the case alluded to occurred, it was well known that Roman Catholics had, under the same circumstances, been for a number of years admitted to the army. The question which then arose was, what was the ground of the distinction between the two services? Did it depend on practice or on law? It appeared to have been long the practice in the army not to tender any oath to officers previous to their entering on the service, leaving them liable only to the operation of the test and corporation acts. In the navy the practice was different. The oath had always been tendered previously to granting a commission, and thus Roman Catholics were excluded from that service. When the subject came under the consideration of government, some persons were of opinion, that the practice of the army was correct, and that it was in the power of the government to relieve the officers of the navy, by ordering the previous administration of the oath to be discontinued. The question, however, being referred to those individuals who were best able to form a judgment as to what was the law, they gave it as their opinion, that the practice of the army was erroneous. Under these circumstances, it was thought necessary to legalize the practice of the army, and to make that of the navy coincide with it. The act which was passed accordingly made both services subject to the test and corporation acts, but relieved them from the liability of taking an oath in the first instance. The difference between the present state of the law, and the object of the bill which the noble lord wished to pass in 1807 was this—the noble lord's bill proposed to repeal the test laws entirely, and to open the navy and army by a new oath to Catholics and dissenters of every description as a matter of right. The measure of 1817, on the contrary, maintained the test and corporation laws, making this essential distinction—that

Catholics, or other dissenters, were not admitted to serve as a matter of right. The noble earl would therefore find it a matter of no small difficulty to show that there was no difference between the two measures. What he, and those he acted with, contended for in 1807, was, that great inconvenience would arise if a principle were adopted which placed all religions on a footing of equality. If the noble lord's bill had passed, the members of every religion might claim to serve of right, as well as the members of the church of England, instead of enjoying that privilege by way of sufferance as they now did. If such a system of equality were to prevail, the great principle on which the security of the church and state rested would be essentially changed. It was upon that question of security that their lordships' decision, on every point connected with this subject, must finally rest. He was, however, far from wishing that any privilege should be withheld, that could be safely granted.

Earl *Grey* said, he was not quite satisfied with the account which the noble earl had given of the difference between the two measures in question. Their lordships were aware, that both the measures proposed to open the army and the navy to Catholics and all dissenters. That was alike the object of the bill of 1807, and of that which passed two years ago. He was therefore justified in stating, that the measures were in substance and effect the same, though the one had caused a most extraordinary clamour, and the other had passed through both Houses with an almost silent approbation. The only distinction was this—that which he did in 1807, he did openly. He professed to open the army and navy to every description of dissenters, without the necessity of the annual Indemnity bill.

The Earl of *Charlemont* presented several petitions from the Roman Catholics of Ireland, for the removal of the political disabilities to which they were subjected. He stated, that the hopes of that body were raised in a very high degree, that the time had at length arrived for the attainment of their proudest wishes. They could not suppose that in the present enlightened age of the world, any arguments could be successfully urged against claims which were founded on the immutable principles of justice.

The Duke of *Wellington* rose, to present a petition against the Catholic claims, from certain Protestants of the city of Dublin. With respect to a circumstance to which a noble earl had alluded, he had to state, that inquiry had been made, whether any soldier had signed the petition; and the result of the inquiry was, that the names of no soldiers were affixed to it. He did not mean to admit that there was any objection to soldiers signing such a petition as this as individuals, but as the fact was that they had not, it was not necessary to discuss that question.

The Earl of *Donoughmore* said, if the noble duke asserted from his own knowledge that there had been no solicitation of soldiers to sign the petition, he must of course believe it; but unless the noble duke did so, he must continue to believe that some practice of that kind had been resorted to. Why else did the commander of the depot issue the order to prevent the soldiers under his orders from interfering in any political discussion, or signing any paper.

The Duke of *Wellington* observed, that he could of course say nothing upon the subject from his own knowledge, neither could he answer for the motive of a commander of a depot in Ireland, for issuing an order. It was possible that the order might have been issued in consequence of some trick played by the opposite party, to discredit the petition. With regard to the fact, he had the authority of the whole committee who had the management of the petition for stating, that no soldier had by their authority been solicited to sign it, nor could they discover that any soldier actually had signed it. With respect to another statement also that had been made respecting getting charity boys to sign the petition, he had the authority of the lord mayor of Dublin, and the trustees of the Bluecoat school (which his grace likewise read) for stating that it was a false and scandalous report.

Numerous petitions for and against the Roman Catholic claims were presented by the marquis of Lansdowne, the duke of Sussex, the earl of Enniskellen, earl Fitzwilliam, and the duke of Leinster; all of which were ordered to lie on the table.

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## HOUSE OF COMMONS.

*Wednesday, May 5.*

ROYAL BURGHS.] Mr. *Primrose* said, he rose to present six petitions to the House, all intimately connected with the important question fixed for to-morrow. Two of the petitions prayed, in conformity with the petitions from the greater proportion of the royal burghs of Scotland, for that adequate and general reform which was necessary to remove the abuses now notoriously in operation. These two petitions were from the provost and magistracy of the burgh of Stirling, in which they beg to call the attention of the House to the constitution of their own burgh, in order to afford an illustration of the benefits arising from the annual election of the magistrates, by a poll of the burgesses. The only remedy they proposed for these abuses was, to give those who were interested in the expenditure of the burghs, a control by annual elections of the magistrates. Stirling and Montrose were, however, the only places in Scotland where that salutary system was in operation, and its benefits were in those two burghs strongly exemplified. Three other petitions were from the different incorporations or guildrys of Stirling, and they prayed that the bill introduced by the lord advocate might not pass into a law; but at all events that the burgh of Stirling might not be comprehended within its operation. The sixth and last petition was from the burgh of Minto, with a similar prayer. He could not sit down without repelling the insinuation that had been made within the walls of the House, relative to the character and influence of the burgesses of Scotland. From his own knowledge, together with the information he had obtained from the most respectable sources, he took upon himself to say, that, in their respective places, they were the first persons in consequence, property, and consideration.

The petitions were ordered to lie on the table.

Petition of Mr. Barber Beaumont, complaining of the Licensing of Public Houses.] Mr. Hume presented a petition from Mr. Barber Beaumont, setting forth, " That the petitioner is suffering a virtual demolition of his property, against which the laws of this country afford no redress, and his case being that of a multitude of other unoffending citizens, he humbly appeals for that protection which loyal subjects may expect from a just government; that the petitioner is ground landlord of upwards of 70 houses at Shepherd's-bush, a village of new houses, chiefly raised through the petitioner's exertions; that at the pressing desire of his tenants, and to supply their reasonable wants, he built a superior public house or inn in the centre of the village, where two cross roads meet, and at a distance of 250 yards on one road, and of three quarters of a mile on the other, from any licensed house; that seven annual applications have been made to the licensing justices at Hammersmith for a licence to open the house, but on different pretences it has been always refused; that the said justices, however, three years since, granted a licence for a mean thatched house, standing almost alone in the fields, some hundred yards distant from the petitioner's buildings, for procuring which licence 350*l.* was paid by the owner to the vestry clerk, when the land about the house so licensed became covered with houses, and the petitioner's land, being denied the convenience of a public house, became deserted; that, on the last licensing day, the chairman addressed the tenant to the following effect: 'We cannot grant you a licence, because 'your certificate is not signed by the minister and churchwardens; the act of 'parliament requires this, and we should 'not be justified in granting a licence 'without their certificate;' and another magistrate declared that that was the only reason of their refusal; but the act of parliament rendered no such signing imperative, nor had the minister of Hammersmith signed a publican's certificate for 30 years; the licensers have since acknowledged, upon oath, that they had determined not to licence the petitioner's house before any thing about the minister's certificate was mentioned, and in fact within half an hour's time of their refusing to deliver a licence for the petitioner's house, on the above ground of the want of the concurrent act of the minister, they granted new licences in favour of a brewer in the neighbourhood, and another for two low tipling houses, which had been suppressed by former magistrates as disorderly, each being in the same parish, and situated within a few yards of similar houses already licensed, not only without any concurrent act of the minister, but in opposition to his earnest entreaty, contained in a letter read at the meeting, that one of these houses in particular might not be licensed; the petitioner, fully aware that in this country no relief is procurable for the sufferer under the most corrupt refusal of a license, still thought that some furtherance might be given to public justice by bringing the above case before a criminal tribunal, proving therefore the deceit and illegality of the reason assigned by the licensers for their decision, and contrasting the facility of their grants of licences for disorderly houses in clusters, in favour of one interest, with their seven years refusal of a licence of a very superior house, with such strong claims against another interest, he obtained a rule to show cause why a criminal information should not be filed against them in the court of King's-bench, but although the above facts were fully proved in the affidavits of the petitioner and his tenants, and were uncontradicted in the affidavits of the defendants; still it was held, that as there was no legal proof of a corrupt motive, the rule must be abandoned; all which the petitioner is ready to prove by evidence; in this state of prostration of civil rights to arbitrary wills, the petitioner, for himself and for his fellow-subjects, humbly claims such protection in the inoffensive occupation of his and their estates as to the House shall seem meet."

Ordered to lie on the table.

PETITION OF THE LICENSED VICTUALLERS OF LONDON AND WESTMINSTER.] Mr. Bennet presented a petition, signed by between two and three thousand Licensed Victuallers of London and Westminster; setting forth, "That the houses wherein the petitioners, and other licensed Victuallers carry on their trade, acquire, by means of their being exclusively licensed for that purpose, a degree of value far beyond that of other places of trade which are free for the use and occupation of any person who may choose to carry on business therein; that to enable a licensed victualler to exercise his trade with any fair prospect of success, and any degree of respectability, he must of necessity embark a considerable capital in acquiring a permanent interest in his house, the value and security of which depend solely on the continuance of his licence to retail exciseable commodities; and property to the extent of several millions is invested in houses of this description in that part of the United Kingdom called England; that the obvious intent of the several statutes investing a power in magistrates, and other competent persons, to grant licences to the keepers of public alehouses, victualling houses, &c. was, to guard against the setting up of such houses where the wants of the neighbourhood did not require them, and the admission of persons of improper character to retail excisable commodities therein; and the regulations requiring a renewal of such licences annually, were established with a view to secure the due collection of the revenue arising from the duty imposed from time to time on such licences; that contrary to the spirit and true context of the several statutes on this subject, the justices of the peace in the several districts in which the petitioners reside, have assumed a power to suppress and refuse to renew such licences at their discretion, at the annual meetings appointed by law, and that without assigning any reason for such decisions, acquainting the suffering parties of the cause of complaint, or permitting them to be heard in their defence against these arbitrary determinations; that the court of King's-bench, the only jurisdiction for redress against the abuse of power by justices of the peace, have determined never to entertain an application at the instance of a party whose licence has been suppressed, unless it can be clearly and fully established by affidavit, that the refusal on the part of the magistrates has proceeded from motives of partiality, malice, or corruption; facts and motives which the almost general practice of the magistrates in refusing to assign reasons for their decisions, render it next to impossible to ascertain or establish; that armed with such assumed power, and protected by such judicial determinations, the justices, in numerous instances which have occurred, have exercised it from motives of partiality, interest, personal pique, and the most wanton caprice, to the utter ruin of many honest industrious persons, and their families; that powers, such as those assumed and exercised by justices of the peace in regard to victuallers licences, the petitioners have no hesitation to pronounce, are inconsistent with the principles of the constitution, contrary to law, and destructive of the property of the individuals subject to their jurisdiction, having a tendency, by the most powerful operation, to defeat the very end for which the jurisdiction was established, by rendering insecure, uncertain, and comparatively unproductive, the property of the licensed victualler, which must necessarily drive from this trade men of character, respectability, and capital; that the petitioners are prepared to prove at the bar of the House, or in any other way that the House may be pleased to order, the oppressive, partial, and capricious exercise by the justices of the peace in many of the districts wherein the petitioners reside, of the power complained against, as well as that such power is in no case expressly given to such justices, by any of the statutes now in force for regulating licensed victualling houses, &c. and that its exercise is contrary to the fair context and obvious intention of the several statutes passed upon the subject; the petitioners refrain from entering into all the cases of hardship, oppression, and unwarrantable interference, of which they complain, many of which are detailed in the several reports of the committee appointed by the House, to inquire into the state of the police of the metropolis; they submit to the House the propriety of some legislative relief from the intolerable oppression under which they now labour, and look with confidence to the House for such regulations, as, while they provide sufficient restraints for the public safety and good order, may afford the petitioners and other persons exercising the same trade, that security in the enjoyment of their property, which by the constitution and law of the land, every British subject is entitled to; the petitioners therefore humbly pray, that the House will take their case into consideration, and grant them such relief as to the House shall seem meet; and the petitioners farther pray, that the House will be pleased to permit the petitioners to be heard, touching the matter of the said petition, by their counsel or agents, and to adduce evidence before the House in support of their complaints."

Ordered to lie on the table.

PUBLICANS LICENSES REGULATION BILL.] Mr. *Bennet* rose for the purpose of moving for leave to bring in a bill for the better regulation of the mode in which licenses are granted to publicans. He said that few questions regarding the interests, and what was of more consequence the morals of the people, were of superior importance to the present: he would not travel through long details which this House had heard over and over again, but would merely state the law as it stood, and the amendment he proposed to introduce. The principal act upon this subject was the 26th Geo. 2nd, c. 35, under which public houses were for the first time annually licensed: it required that the party demanding a license should be provided with the certificate of the clergyman, the churchwardens, and overseers, and of four respectable inhabitants of the parish. Upon this point the practice had varied in different places: in some the magistrates would not license without the signature of the minister; and as the minister, from conscientious motives, would not sanction these places of entertainment, no public houses at all existed. In the metropolis the practice was quite the reverse, for there the clergyman signed as a matter of course, and the beadle, for a fee of from half-a-crown to a guinea, procured the necessary names of the parish officers and the inhabitants. The law was therefore in this respect a dead letter. The alteration he suggested was, that the signatures of the clergyman the churchwardens and overseers, and six inhabitants should be necessary; or of twelve inhabitants without the minister and the parish officers: but that they should be obtained from the parish where the applicant for a license had last resided: for it not unfrequently happened that a publican, whose house had been the resort of the vilest of mankind, obtained a license from magistrates in a situation where he was totally unknown. The next change he had to propose was in the system of recognizances, which hitherto had been either two of 5*l.* each, or one of 10*l.*: and in general one publican became surety for another, through a whole line of applicants. without the slightest knowledge of their characters or circumstances. It was his object that the amount of the recognizance should be increased, and that the parties entering into it should be sworn as to their responsibility. The arbitrary power which magistrates enjoyed of depriving a man of his license and his living, without the assignment of any reason, was a great evil in the existing law: he did not mean to cast any slur upon the general impartiality of the mode in which magistrates discharged this part of their duty in the country: cases of oppression could be pointed out, but they were few in number compared with the metropolis, where, according to the evidence before the committee, a system of petty tyranny had been carried on to a most injurious and shameful extent. Instances could be detailed where victuallers, with the signature of the clergymen, the parish officers, and of almost every respectable inhabitant in their favour, had been debarred of the means of obtaining a living by being deprived of their licenses, in order to gratify the vindictive spleen or petty caprice of some man who was disposed to display his insignificant but cruel authority. Another great evil originated in the system of licensing being converted into an engine of political influence, more particularly in boroughs, where the corporate magistrates exercised a most arbitrary and ruinous power, to favour the views of some patron or proprietor. The object of rendering licenses annual was, to augment the tax, and those which in Queen Anne's time were only 1*s.* each, in a very short period were augmented to 10*s.*: and every gentleman who had read the act of Geo. 2nd, knew that another purpose in making licenses annual was, that magistrates should not have the power to deprive a man of his license until the expiration of a year. His intention was, to repeal the 26th Geo. 2nd, and instead of allowing to magistrates in the first instance so arbitrary and extensive a power, to provide a graduated scale of penalties for irregularities which should be proved against the house of a publican, the recognizances ought to be forfeited in such a case, and the *maximum* of penalty he thought, should not exceed 100*l.* on the third conviction, or forfeiture of the license, and incapacity to keep a public-house for three years. This would limit the authority of magistrates in putting down houses without cause assigned, and tend to put a termination to the vexatious despotism that had reigned in the metropolis. The hon. member then mentioned the case of a Mr. Meek, of Clerkenwell, a man whose conduct had been such as to command the respect of all his neighbours and of all who knew him. This person's license had been taken away from him by the arbitrary act of the magistrates, and had not been since renewed, by which he had suffered a loss of property to the amount of upwards of 1,000*l.* He should propose, then, that there should be an appeal, not after a trial by jury, for the House had testified its disapprobation of such a provision in the last parliament; but that there should be an appeal from the licensing magistrates to the magistrates of the quarter sessions. However, it might be urged, that the former, those respectable persons, might not want a check on their conduct; yet even if this held good of those of the metropolis, other towns and cities might not be equally fortunate. There were certain other clauses in the bill, the object of which was to give a greater degree of publicity to the licensing of those houses. He trusted they would be found also to provide a check upon one of the greatest grievances existing, by putting an end to the monopoly of the brewers, who forced the publicans to vend their adulterated liquors; whereas, all contracts between them in future would exempt them from selling any other than genuine liquors, of an exciseable quality. In one town there were not less than 67 public houses all of which were in the hands of brewers. In the town of Warrington there were 18 houses, 14 or 15 of which belonged to brewers. In the town of Maidstone there were 40 under the same circumstances. An artificial value had been given to public houses, throughout the country, by the licenses given to them; the consequence of which was, that they generally fell into the hands of the brewers themselves, who were thus enabled to sell a deleterious compound, very injurious to the health of their customers. If any gentleman would give himself the trouble to taste what real good beer was, such for instance, as that brewed in Shropshire or Staffordshire, and contrast it with the trash retailed by the unfortunate people in question, he would soon discover the great difference. The principle of the present bill he trusted, no one would object to; as he believed it was a measure which would remedy most of the existing evils. He should therefore move for leave to bring in a bill "for amending the laws for regulating the manner of licensing alehouses in England and for the more effectually preventing disorders therein."—Leave was given, and the bill was presented and read a first time.

PARTNERSHIPS IN IRELAND BILL.] Mr. Alderman *Wood* moved for leave to bring in a bill, similar to that which he had introduced last session. The object of it was, to induce men of large capitals to vest part of them in trade or manufactures in Ireland, without fear of subjecting themselves to the operation of the bankrupt laws. By this bill, sleeping partners might invest money in trade without being considered as acting partners, or being liable for more than the sums invested by them. The worthy alderman concluded with moving "for leave to bring in a bill to promote the employment of persons in the Fisheries, Trade, and Manufactures of Ireland, by regulating and encouraging Partnerships in that part of the United kingdom."

Mr. *Plunkett* said, that the House were not, perhaps, aware that an act had existed upwards of forty years in Ireland, which had been acted on, and had become a part of the system of equity in that country, enabling persons to invest money in trade without becoming liable to the operation of the bankrupt laws. This was called an anonymous partnership in Ireland. These anonymous partners, however, did not engage in the trade themselves, and had no control over it, but were mere lenders of money. But by the bill of the worthy alderman, the persons who advanced money might have the substantial control of the trade. Now he held this to be a dangerous principle. Persons might appoint an acting partner entirely under their control, and might, with little or no capital, have the entire benefit of the trade, with a limited responsibility to the public. This was directly contrary to an established principle of mercantile law. It was obvious, that under this bill men of straw would be appointed as acting partners, and the persons who had the entire control and direction of the trade would only be liable to the extent of the sums advanced by them. If an amendment of the existing law were only proposed, he should be heartily glad to accede to it; but the bill would go to repeal the existing law on the subject.

The *Chancellor of the Exchequer* observed, that the principle of this bill was repugnant to the general principles of commercial law in this country. Ireland had separate laws on this subject, which were well understood, and which were not without their advantage in a country deficient in capital. In most countries on the continent, persons were allowed to vest sums in trade on a similar principle; but a system of this kind required to be acted on with great caution. Persons might acquire a false credit by a connexion of this nature with capitalists, the extent of whose liability might not be known to the public. In point of fact, this was an unlimited allowance of small joint stock companies; companies of such a description were viewed with great jealousy in this country. This jealousy, however, might be carried too far. He thought the bill might be productive of advantage, but it should undergo considerable alterations.

Mr. *Foster* entered into a history of the law in Ireland, respecting anonymous partnerships. It was drawn up, he said, by one of the ablest men of Ireland, and was passed in the Irish parliament in 1781. The idea of it was taken from a French law-book. When sent over to England, it was submitted to the attorney and solicitor-general of that day, and by their advice, rejected as contrary to the practice of this island. On a remonstrance from Ireland, that the bill was necessary for the encouragement of the manufactures of Ireland, it came back and was passed into a law, and had been productive of great benefit. He was sorry however to say, that there was as much necessity now for capital for encouraging manufactures in Ireland, as there was then. He should recommend to the worthy alderman to bring in a bill for amending the existing law, rather than to repeal it.

Mr. *Leslie Foster* said, the bill of the worthy alderman was well deserving of the consideration of every Irishman. He was not sure that he understood his right hon. friend correctly. It seemed to him that his principal objection was, to a principle which already existed. By the existing law, dormant partners might invest money to any amount, derive a share of the profits, and yet not be liable beyond the sums invested by them.

Mr. *Plunkett* said, his objection was, to the effective control which this bill would give to sleeping partners, without subjecting them to any losses.

Mr. Alderman *Wood* acknowledged, that the principle of the bill would give this control; but then half the profits would remain to be added to the capital. Thus, if the profits were 10 per cent, 5 per cent could only be drawn by the partners.

Sir *J. Newport* thought it would be better to repeal the former act, and to consolidate its provisions in the present, the former being an act of the Irish parliament. It would be better that all the regulations on the subject should be incorporated into one act of the imperial parliament.

Leave was given to bring in the bill.

MOTION FOR THE REPEAL OF THE WINDOW TAX IN IRELAND.] Mr. *Shaw*, of Dublin, rose and said:—Sir, when I had last year the honour of making the motion which I am now about to submit to the House, that the petition presented by me to this House, from the householders of the city of Dublin, for the repeal of the window tax, together with the other petitions from Ireland on the same subject, be referred to a committee, I stated that I had never known a question excite greater interest among the citizens of Dublin, or respecting which there was less diversity of opinion. If I was right in that opinion then, I cannot be in error now, when I assure the House, that that interest has, if possible, increased, and that the unanimous conviction of my constituents at present is, that upon every principle of sound policy and good faith, the people of Ireland have a right to claim a total repeal of the window tax. I mention this, not in order to interfere with the full discussion of this question, for discussion and inquiry is what we call for, but to submit to the House, whether any subject upon which the second city in the empire has taken such an active part, and pronounced so decisive an opinion, is not well entitled to a calm and serious investigation in parliament. This, Sir, is all I now ask, and which, I am sure, the candour and good sense of this House will not refuse to concede to me. When I say that a cool and temperate inquiry is all I now ask, I must at the same time confess, that I say so in the consciousness that if the House will but give the subject their fair and full attention, I have little doubt that the result will be favourable to the wishes of the petitioners. I have certainly every reason to be grateful to the House for their indulgence on a former occasion, but I hope I may add, without presumption, my sincere wishes that, in debating this question, Ireland will not now, as on the last occasion, be upbraided with not having supported her share of the public burthens—that she will not now be taunted for not having done that which it it has been long since ascertained it was impossible for her to have done; at the same time I would respectfully suggest, that it by no means follows that because Ireland may (no matter from what causes) have been deficient in her contribution to the public exigencies, a tax so unequal in its pressure, and so injurious in its consequences to the health of the community, should be obstinately persevered in. Were I to admit, therefore, what I certainly am very far from admitting, that Ireland had not since the union done all that could be reasonably expected of her, still this would be no argument for the tax. If the tax itself be oppressive and unequal, or if for any other reasons it be a tax that ought to be repealed, the supposed deficiency on the part of Ireland can be no argument in favour of the continuance of it. If the tax be in itself radically objectionable, this House will do its duty and abolish it; and if the abolition create a serious deficiency in the public revenue, it will be then the duty of the chancellor of the exchequer to suggest the best means of supplying that deficiency. As I am anxious that this question should be met in the most direct manner, I shall not recapitulate the arguments which I used on introducing it to their notice. I shall, however, remind the House of one or two of the leading objections to the principles of the motion. One objection was, that the repeal of this tax would be breaking faith with the public creditor, as having a tendency to lessen the security on the strength of which he lent his money: this argument would prove too much, because in that case no tax ought ever to be repealed, and every tax, when once imposed, ought to be perpetual; the consequence of which would be, that if any one parliament could be found sufficiently complying to vote indefinite taxation, it would be unnecessary to call another. Besides, the right hon. gentleman gave up this principle when he consented to the reduction of 25 per cent. But, to give the objection all its force, I would put it to the candour of the right hon. gentleman, whether he had any apprehensions that the abolition of the Irish window tax would shake the confidence of the public credit. It is quite ludicrous to suppose that the loss of a tax, now amounting only to 200,000*l.* and every year falling off, will injure the security of the national debt. But if gentlemen are so anxious to keep faith with the public creditor, I trust they will be at least as anxious that government should keep faith with the Irish people.—And this brings me to another objection, which, I think, is equally untenable—namely, this is not a war tax; or, at least, that parliamentary faith has not been pledged that it should cease with the war.—As to whether the act of the 29th of the king was or was not a war tax, the simplest mode of deciding that question would be by reference to the act itself. By the 4th chap.

of the 40th of the king, it is expressly stated, that the tax on windows was granted for the sole purpose of keeping up an effective force, little short of 50,000 men; Did not that mean that it was a tax for maintaining a war establishment; and if so, could it be any thing else than a war tax? But it is not only stated to be a tax for raising an effective force, but, in a subsequent statute, in 1800, certain regulations were introduced respecting this tax, which regulations were to be in force for three years, provided the war should so long continue. Did not this convey an understanding, that the tax was not to continue beyond the war? But it has been gravely said, that this clause respecting the three years referred to the regulations only, and not to the tax itself. Is it possible that the legislature could have contemplated the possibility of the tax surviving the regulations by which that tax was to be rated and controlled, that is to say, that parliament could have said, "Let the tax be perpetual, but be it enacted, that all the regulations for rating and levying the tax shall not continue in force longer than three years?" I put it to the candour and good sense of the House, whether it was possible for the Irish parliament to have any such double meaning. What they said of the mode of rating the tax, they must have meant of the tax itself. The parliament expressly said, that the rating should continue during the war only, and therefore they evidently meant that the tax should not continue for a longer period. I trust that this quibble will not now be seriously resorted to as a grave argument to justify an alleged breach of faith. Give me leave to say, that it is not seemly in the government to special plead with the people upon a charge that the faith of parliament was pledged to them, and that it has not been kept sacred. I would even go farther and say, that although the precise terms of the contract, or the exact circumstances of the case, did not strictly and formally pledge the faith of parliament, yet if, from the spirit of the acts themselves, and the language and conduct of the government at the time of passing them, the people acted upon an implied understanding of such a pledge, and cheerfully discharged their part of the covenant by paying the tax during the war, the government and the parliament were bound on the return of peace to remit that tax. Now, be the causes what they may, it is indisputable that at the time of introducing this tax, and from that time down to the present day, there has been one uniform impression, that the window tax was a war tax, and that the faith of the Irish parliament was pledged that such tax should not continue in force longer than the war. Now, Sir, I submit, that an impression so strong and general is in itself evidence of the truth of that impression; but admitting for a moment that it was not warranted to the extent in which it has been entertained, yet, is a feeling of this kind on the part of the people to be answered by quibbling on the words of an act of parliament? Is that the way in which the legislature ought to justify themselves against the imputation of a breach of faith? In my humble opinion, ten times the amount of this tax would be but a poor price for the forfeiture of that confidence which the best interests of the empire require should ever exist between this House and the Irish people. But, Sir, who was the person with whom this tax originated? The then Irish chancellor of the exchequer, the late Mr. Corry—the representative, and, in this instance, the deputed organ of the Irish government. What was his language on that occasion? When last this question was before the House, I cited a most material extract from the speech of Mr. Corry, in proposing this tax to the Irish House of Commons. I read that extract from the most authentic report I could find; and with the leave of the House I will read it again; it is as follows:—"Mr. Corry stated, that when the window tax was first proposed, it was on the footing of a mere war tax to meet the exigencies of the moment, and that in order to render it efficient, it became necessary to give it a retrospective operation: he had already, every time that the subject had been brought before the House, advanced that the tax was not intended to be permanent, but as a mere war provision. On the footing, then, that it was merely a war tax, he hoped to do away every objection to the bill." The authenticity of this debate, as given in the Dublin Journal of the 26th June, 1800, a paper strongly in the interests of the then government, has never been questioned. If, then, this language was used by the accredited organ of the Irish government, in order to induce the Irish parliament to vote that tax, there should be an end to the question. Either the government and the

Irish parliament were then pledged, or, if they were not, the people were deceived. If the pledge was *bona fide* made, this House should redeem it; if it was delusively made, far be it from this House to countenance any such deception! If, then, I am right in what I have contended for, this tax ought to be abolished, upon the great principle of good faith, though it were in every other point of view unobjectionable. But is this tax in every other point of view unobjectionable? Is it not, comparatively speaking, unproductive? Is it not universally looked upon by the Irish people as a most obnoxious, unequable, and severe tax? And is not that another argument for inquiry? I may be told, perhaps, that no tax is popular. Why, Sir, no man wishes to be in debt, but every honest man will be as anxious to pay his just debts as he will be discontented in suffering under what he may think an extortion. I am far from insinuating that this tax, until repealed, cannot be as justly levied on the king's subjects in Ireland as any other; but surely it is a serious question for this House, whether they will persevere in making the law instrumental in levying any tax in violation of the public faith.—I said that this tax was odious in Ireland. Will gentlemen wonder that it is so when they learn in what manner the law allows it to be levied upon every house in Ireland subject to the tax? The words of the act are, that the collectors can demand an entrance into every room in every house in Ireland, from day-light until sun-set, and insist upon admission, under a penalty of 20*l.* I leave it to the House to reflect to what gross abuses an inquisitorial power of this kind might eventually lead. Is not this one provision in itself sufficient to make the tax odious to a people jealous of their liberties? But, is there no other reason why this tax should be odious to the Irish people? Sir, it is a fact ascertained beyond a doubt, that the health of the poorer classes has materially suffered in consequence of this tax. When this question was last before the House, some gentlemen argued, that as houses with windows less than a certain number were free from the tax, and as the poorer orders universally occupied such houses, and they were most subject to the fever, the tax could not have at all contributed to the fever. But, Sir, the fact unfortunately is, that that part of Dublin which is known by the name of the liberty, contains a vast number of large houses, all of which must have been originally liable to the tax, and are exclusively occupied by the most miserable poor in the empire; and so strongly was this felt to be in imminent danger by the government of that country, that orders were given in all cases where the terror of contagion had forced the wretched inhabitants to restore the windows, and admit the light and air, the tax so incurred should be remitted. It was objected by my right hon. friend, who was then secretary for Ireland, that so few had availed themselves of this indulgence, that that circumstance was conclusive evidence, that the tax could not have been the general cause of the contagion. Why, Sir, in the first place, I greatly fear, that the poorer classes had not that confidence in the government in this particular, which I acknowledge they ought to have had, the continuance of the window tax being considered as a breach of faith, the people are too apt to look upon every measure respecting it in the same point of view. They might have suspected that this very indulgence, so sincerely meant, was nothing more than a trick, affecting to give them temporary relief, but in reality imposing on them permanent taxation; and that this artifice had been resorted to for the purpose of counteracting their own miserable evasions. Such distrust on the part of the people is always to be deplored, and parliament can never be too cautious in preserving the public faith inviolable. But, Sir, there were other difficulties in the way besides mere distrust, for when once fever attacks these miserable habitations, the inhabitants are in general so poor, that, far from being able to go to the expense of opening a window, they can scarcely procure sufficient nourishment to sustain existence. Dr. Parker, in his report on the Epidemic Fever for last year, has the following passage:—"I have observed the back windows of houses where fever prevailed, closed up, to avoid the window tax, as I was informed by the inhabitants. In vain was it represented that they would be indulged with exemption from the tax on making application to the commissioners of the revenue; it was evident, they alleged, they could not afford the expense of a new window sash." Upon every principle, then, of good faith and sound policy, I once more submit this question to the candid consideration of the House. The impression throughout Ireland is, that if she had now a resident legislature, this tax would have been long ago repealed. They ask you to remit a war tax, which they believed you are pledged to remit to them; they know this tax to be dangerous in its consequences to the public health; they have found it to be most severe and unequable in its pressure; and they feel it for every reason to be odious. It appears by the returns which I hold in my hand, that the notices served on the collectors for closing up windows for the three years, ending 5th Jan. next, amount to 32,424, and that the tax is regularly falling off every year. The net amount of the window tax, in Ireland, for the years ending 5th Jan. 1816, was 381,539*l.* 7*s.* 6*d.*; for 1817, 344,770*l.* 9*s.* 8*d.* a falling off of 36,768*l.* 17*s.* 10*d.* for 1818, 301,557*l.* 2*s.* 8*d.*, a falling off of 43,213*l.* 6*s.* 7*d.*; and for the year ending 5th Jan. 1819, only 223,636*l.* 6*s.* 9*d.*, a falling off of 77,920*l.* 15*s.* 11*d.* Will you, then, refuse to repeal this tax, at present producing so small a sum, after you have remitted fourteen millions of taxes to the people of England? For all these reasons, I entreat the House to pause before they turn the people of Ireland from their bar, while they are humbly and respectfully praying to be relieved from this most unproductive, odious, and oppressive tax. I now move, "That a select committee be appointed to consider the expediency of repealing the 26th of the king, as far as respects the Tax upon Windows in Ireland."

The *Chancellor of the Exchequer* observed, that if the ground for repealing this tax was so clear, and its necessity so urgent, as was stated by the hon. member, there could be no necessity for a committee upon it; the best way would have been to bring in a bill at once to that effect. When this subject was before the House last year, he thought he had gone far enough to prevent the necessity of the present motion. A considerable reduction was then made in this tax; not from a feeling that its continuance was a breach of faith to Ireland; but because the situation of that country was such as to make it necessary. He was fully aware, that the good faith of government ought to be tenaciously preserved, and that the amount of the tax in question ought not to be put in competition with it.—But he was happy to find, that the entry of this tax on the Statute Books was so clear, as to prevent the possibility of its continuance being so considered. He admitted it was a war tax; but then it had been pledged to the public creditor, and therefore it was to be continued until some other security to that creditor was provided. When the Income tax was imposed in this country during the war, it was merely a war tax: but when it was given as a security for the advances made to the public, it was necessarily continued until the public creditor was otherwise satisfied. If any less objectionable mode of raising an equal sum could be devised, he could have no objection to adopting it; otherwsie the present tax must be continued. The amount of the debt of Ireland to England was at present 104,000,000*l.*; and if England was not charged with four millions and a half annually on this debt, Ireland would be involved to the whole amount of her revenue. He begged to remind the hon. member, that England had not been relieved from any tax which had not been also taken off in Ireland. It was true, the property tax had been taken off in this country, but then that tax had never been levied in Ireland; if it had, it would have been taken off also. Ireland had not been called upon to defray the charge of the countless millions which had been expended during the war; they had been borne almost entirely by England. This view of the case was the more material, as it showed that Ireland had no just cause of complaint. Since the peace in 1815, several reductions had taken place in the malt and spirit taxes, and in the assessed taxes of Ireland, to the amount of 183,000*l.* Irish currency. In 1817, no reduction took place, but in 1818 the taxes were reduced to the amount of 270,000*l.* In the last three quarters of a year the assessed taxes were reduced, from 480,000*l.* to 375,000*l.* He wished to know how he could justify himself to England and Scotland, if after these reductions, he were to take off the window tax. The House must know that no houses in Ireland having less than seven windows were taxed, while in England houses having six windows were liable. The whole number of Houses taxed in England was a million, those not liable amounted to between 800,000 and 900,000; so that in England more than one half of the houses were taxed, while not more than one-fourth of the houses in Ireland were so. Many of the larger houses in Ireland were occupied by the lower classes, who could not afford to pay the tax, but the wisdom of the Irish government interfered to prevent their closing up their windows, by not charging those opened, to prevent contagion. But it was urged that this had not had the desired effect. He would ask what more could be done? If the tax were repealed, it would be the same thing. In the one case, as in the other, it was saying that the windows so opened, would not be charged. In the schedule of the tax, it was said that lodging-houses inhabited by the poor, were only to be charged 1*s.* per window, and when the House considered that it was the owner of the House who paid this tax, and that those Houses produced large rents, they would perceive that the tax did not fall heavily. Under these circumstances, he felt himself bound to protest against the repeal of this tax.

Mr. *Vereker* stated the grievances felt in Limerick by the oppressive operation of the window tax. He trusted that the wisdom and humanity of the House would suggest some remedy for such an evil, and give a favourable consideration to the petitions which had poured in from all parts of Ireland on this subject.

Mr. *Carew* declared, that the shutting up of windows to avoid the payment of this tax, had, by impeding the ventilation of houses, greatly contributed to propagate the infection of the typhus fever in Ireland. The measure originated as a war tax, and ought not to be continued in time of peace.

Sir *G. Hill* said, that he had last night presented a petition from Londonderry, praying for a repeal of the tax; and certainly, if any portion of the inhabitants of Ireland were entitled to an alleviation from, or an abolition of this tax, his constituents had that claim, who had, during the prevalence of disease and distress, been foremost in setting a salutary example of providing asylums for the sick and naked, and provision for the hungry and distressed. He regretted that his duty as a representative in parliament, upon a general view of the exigencies and relative interests of the united kingdom, obliged him to support the tax. It seemed, that an opinion strongly prevailed, that Mr. Corry had given, in 1799, a pledge that this tax was to be continued only during the war. It is quite true, that at the period when the tax was first laid on, Mr. Corry did announce it as a tax which the pressure of war rendered it necessary for him to have recourse to, and he proposed it as indispensable from the difficulties of the moment, and no doubt it was, like many other taxes, since made permanent, termed a war tax; but Mr. Corry gave no pledge as to the time of its termination—none whatsoever. He (sir G. Hill) heard Mr. Corry propose it without such pledge; and subsequently in the parliament of the united kingdom, when peace did arrive, and the same Mr. Corry remained chancellor of the exchequer for Ireland, he was present when Mr. Corry was charged with the obligation of abandoning the tax, as having been proposed only for the continuance of the war, and to cease with the war, which Mr. Corry denied, and on appeal to what had passed in the Irish House of Commons, and on full discusssion in the united parliament, of pledge or no pledge, it was decided that no such pledge had been given, and the tax, in consequence, was continued during the peace of 1803. This appeal and discussion, it is material to observe, took place within four years of the time when the pledge was alledged to have been given, and if it was then decided in the negative, under what pretence are we now, at the distance of sixteen years from the time of that decision, to receive it? But, for argument sake, let us suppose that Mr. Corry had made the pledge, and that at the peace of 1803, he ought to have given it up; yet surely when a new and a fresh war broke out, and another chancellor of the exchequer, the right hon. baronet opposite (sir J. Newport), and under another administration, tried, adopted, and augmented even the rate of this tax, without reference to, or notice of, such pledge, nay, without even stating it to be a war tax, with what justice or consistency can this House now be asked to forget this proceeding, to pass by this conduct, and refer back to the terms on which Mr. Corry availed himself of the tax? But how gross the absurdity would be to insist, that the chancellor of the exchequer of the day could bind by his mere declaration, not only all his successors in office, but all future parliaments. Such a pledge, if given, could only be binding upon that minister, administration, and parliament who gave it; however, as no such pledge existed, let us argue the propriety of continuing a window tax in Ireland upon other reasoning.—But first—he must remind his hon. friend, (Mr. Shaw) that when he and a deputation from the different parishes in Dublin, waited on the chancellor of the exchequer in September 1817, he and they would have rested contented with the continuance of the tax, if, upon that occasion, the reduction of 25 per cent, which was made in the subsequent session, had then been promised to them; and again, during the last session, it was a matter of notoriety, that a reduction of 50 per cent upon the tax instead of 25, was asked for, and if it had been then granted, the right hon. baronet (sir J. Newport) and all those who pretended to rely on Mr. Corry's pledge, would have been satisfied and silent on it—therefore the question is a struggle for terms. Now, gratitude should induce the advocates of farther reduction to admit that the regulations and exemptions, particularly with respect to lodging houses, have reduced the tax in reality 50 per cent. He lamented that his duty would not allow him to concur in the motion without doing violent injustice to other parts of the empire. With Scotland, surely, Ireland might fairly be compared; and would it be just to the inhabitants of that country, who paid all the assessed taxes, the same as in England, including window tax, to insist on the exemption of Ireland from it altogether? As an honest statesman, he could not urge it, nor could he withhold the statement of the burthens transferred from Ireland to Great Britain, for the discharge of which the people of England and Scotland were taxed, and annually paying 4,648,977*l.* The entire farming or agricultural classes were in Ireland quite exempt from assessed taxes, a farmer might have three hearths and six windows without charge, and few, in consequence, contributed any thing to the state. He was quite aware of the inability of Ireland to fulfil her union compact, and therefore the treasuries had been consolidated before the expiration of the twenty years; but *à fortiori*—Ireland ought not to expect the abrogation of a tax so productive as the present—in four years, to January 1818, it had produced nett into the exchequer above 350,000*l.* per annum. Instead of farther reduction of the window tax, he strongly recommended that his countrymen might look for such extension of aid, as might advance useful internal works and improvements in Ireland, and encourage her progress in industry and acquirement of wealth. He must say that there was a kind disposition, on the part of England to consider the situation of Ireland, upon all occasions with liberal views; this disposition we ought to cultivate and cherish, and not press too strongly upon it, which he felt he should be doing, if he called upon the English members to join him in voting away the remainder of this tax.

Mr. *Knox* complained, that the hopes of the people of Ireland were greatly disappointed in the way that this question was met. He referred to the words of the original bill to show, that it was a measure solely intended for a war expenditure. The people of the country never complained during the war of the burthen of this tax, nor was it until they could no longer bear its operation, that their complaints were heard against it. The hon. member contended, that the operation of the law was most unfavourable to the health of the community; and that, from the report of the physicians in Dublin, it was evident the fever had greatly increased, owing to the bad ventillation, so many of the windows being shut up. Where a tax affected the health or industry of a people, nothing but the most painful emergency should cause its enactment or continuance. The right hon. gentleman conceived that he granted a great boon to Ireland last year, when he reduced the tax 25 per cent. But that it was not a boon generally felt was evident from the circumstance, that there were three or four thousand notices of discontinuance in that year, and, in the three last years, no less than 33,000. The right hon. gentleman also stated, that a great many people in Ireland were not affected by the tax; for instance, the small farmers, and the minor manufacturers. It was true they did not feel the weight of this tax; but if it were to be a permanent measure, it must operate against the improvement of the situation of those persons.

Mr. *Plunkett* said, he considered it a mistake to suppose that the members of the united parliament were not disposed to attend to the concerns of the sister kingdom. He thought that the interests of Ireland were listened to by British members with the kindest attention. It was to the representatives of England, that in this case he should chiefly address himself; and in the first place, he should endeavour to show, that in demanding the repeal of this tax, Ireland had a claim on the good faith and justice of parliament. Much discussion had arisen whether the tax had been imposed as a war tax, The hon. mover had quoted the words of Mr. Corry, at the time of the imposition of the tax, but a right hon. baronet seemed to think, that if the pledge was given by Mr. Corry, it was not binding on the good faith of parliament. If this was his argument, it would be for him to state, how the country could at any time know whether a pledge was given respecting any tax, unless from the words of the accredited and responsible minister? How could a pledge be given or accepted but in such a manner? It was said, that at the peace of Amiens this tax had not been discontinued; but if Ireland had originally justice on her side—if faith had been pledged to her that it should be repealed, this breach of promise might be a reason for her to complain, but no reason for a repetition of the same injustice. The question now was, had the pledge been given? Besides the declaration of Mr. Corry, there were two acts of parliament since the original imposition of the tax; the acts of the 40th of the king, chap. 4—the next the 40th, chap. 52. The first of these acts stated that the tax was to be raised to keep up 50,000 men in Ireland, a war establishment. The second was passed to regulate the collection. It was asserted, that because in these acts other taxes were included, his argument proved too much, and that either parliament was not pledged to repeal the window tax, or that it was pledged to repeal the other taxes also. But this was a misconception. There were other taxes indeed mentioned in the 52nd chap. but, what strengthened his case more than if they had not been mentioned, the words limiting duration was confined to the window tax alone. It was enacted, that windows were to be rated to the tax in a certain manner, provided the war so long continued. Could it be contended that this was any thing but a war tax? It had been said, that the tax had been re-imposed by the parliament of the united kingdom, and that thus the pledge had been annulled. But the act referred to could be considered as nothing more than a parliamentary regulation. The war taxes had in Ireland been re-imposed from year to year, and in 1807 the practice respecting Irish was assimilated to that respecting English taxes; the tax was made permanent, but liable to the original condition annexed to it, that on the arrival of certain events it should cease. But did he say, that because this was a war tax, parliament could not, in case of necessity, renew it? He meant to say no such thing; but this only, that the question should be now considered, not as an application to repeal an old tax, but as a resistance to the imposition of a new one. We had then to consider the power of Ireland to support taxation. Ireland, it was said, owed a large debt—her revenue would barely meet the annual charges, a sum equal to the whole interest of the debt was therefore a deficit? But this argument went too far. Did the chancellor of the exchequer mean to say that Ireland was to mkae up all this deficit? If so, the question would be, not to raise 200,000*l.* but four millions. Every one who knew any thing about the matter, knew that this debt had been contracted in a course of madness and folly; thus Ireland had been pledged to pay an extravagant share of the general expenditure of the empire, and hopes had been held out that she would do so, till she was absolutely a bankrupt. But this bubble was now burst, and the expenditure was to be provided for, not by a debtor and creditor account between the two countries, but by providing a common fund for common exigencies, and if it could be shown that Ireland could pay more than she did, he should be willing to agree to a tax, and the people of Ireland would not complain. The people of Ireland were not a complaining or repining people. They had bled as freely from their financial veins as from their purses; and the cries they now raised were not the work of artifice or combination, but wrung from the distresses of a suffering nation. If this tax was to be enforced for the first time, on what ground could the chancellor of the exchequer appeal to the House in its favour? It was a tax on civilization—an act to restrain those improvements in which Ireland would find prosperity, and England security. Every house, of a certain description, built in Ireland, was a hostage for its connexion with this country. It gave the inhabitants something to be protected by the law, and tended to put down incivility, and that excess of population, in which all thoughts are turned to the necessaries of life, while its comforts are disregarded. Towards the city of Dublin in particular this tax was most unjust. By that city one-fourth of the whole sum was paid; and certainly if we were to look for objects of taxation, it was not to that part of Ireland that we should turn. No part of the empire had suffered so heavily by that act, the merits of which he should not then discuss. Before that act, that city had a resident parliament, a resident nobility. One hundred noble families made it their abode, not one of whom now resided, but had gone to lay out their incomes elsewhere, to encourage other industry and other manufactures. We had daily melancholy experience of the forlorn state of that people, to a degree of which many gentlemen could not have an idea. In every corner were to be seen instances of the most abject misery. He appealed to that right hon. gentleman (Mr. Grant) for whom, it was no affectation to say, he entertained the highest respect, whether he was fully borne out in this account of the condition of Dublin? But this tax was continually becoming less productive. In 1816, the diminution was 32,000*l.* beyond the foregoing year; in 1817, it was 43,113*l.*; and in 1818, 77,911*l.*; though he was aware, that in this last year, the defalcation was in a measure owing to the reduction of the duty 25 per cent. Without pretending to have any knowledge of futurity, he would predict, that it would daily become less productive. Within the three years he had mentioned, 32,424 notices of discontinuance had been served, of which 3,501 were in Dublin alone; in each notice, it was probable several windows were included; and as 10 or 15 wretched persons lived, on an average, in a house, it was probable that 30,000 persons were thus driven to deprive themselves of light and air. He appealed, in behalf of his countrymen, to the justice of the House, and he hoped he should not appeal in vain. When they were told by the chancellor of the exchequer, that they must find equivalents for the taxes they proposed to take off, he must beg leave to tell him that he a little forgot his duty. He felt for the exigencies of the country, he felt for the difficulties of the chancellor of the exchequer, he had felt for him when he saw him the last night compelled under, no doubt, a sense of duty, to press the House to adopt a measure which must have been repugnant to his feelings. When the right hon. gentleman had not been persuaded to spare the virtue of his own country, he could not hope to appeal to him with success in favour of the poverty of Ireland. But when his financial situation was such, that he could find no expedient to maintain it, but by manufacturing crime in one country, and by a breach of faith in the other, it became his duty to resign his office [Hear! hear!].

Mr. *C. Grant* thought the right hon. gentleman who had last spoken, had deviated from his usual candour, in representing that the chancellor of the exchequer had acknowledged the continuance of this tax to be a breach of faith. Though he had looked into the case rather with a disposition to find a pledge, he could not persuade himself that it had been given. There was no record of any kind, that Mr. Corry had given any pledge; and if there had been a solemn pledge, was there a probability that it would now be a matter of dispute? In 1800 by chap. 2, 40 George 3rd, the tax was continued, not only for the support of 49,000 men, but for other puposes; and many other taxes were included under the same enactment. By the act of union, all the revenues of Ireland were formed into a consolidated fund, for the payment of the interest of debt and sinking fund, yet there was not a word that this tax should not be continued. The 52nd chap. of 40th of the king contained regulations respecting the collection of the tax. To prevent evasion, houses had been originally taxed according to the number of their windows. By this act, the houses were to be rated according to this enumeration for three years, if the war so long should continue. That this limitation of time applied to the mode of rating only, and not to the tax itself, was manifested from this; the war did not last three years; the mode of rating ceased; but the tax continued. In 1807 also, this tax (with many others which it was not even pretended parliament was pledged to put and end to), was made permanent; and previously, when Mr. Corry, who had first proposed it, had moved its renewal, he had denied that he had ever given any pledge respecting it, and his assertion was supported by several members of the House. He could not thus find the slightest proof that any particular pledge had been given respecting it. He acknowledged that if he regarded his feelings only, he should go much farther than the right hon. gentleman proposed in the repeal of taxes, but it was to be recollected, that this tax did not fall on houses with less than seven windows and four hearths. The severest pressure certainly was on the lodging-houses in towns, but the tax on them had virtually been reduced 50 per cent. In the last year, the whole tax had been reduced professedly 25, but really 50 per cent, the produce being in 1817, 440,000*l.* in the last year 235,000*l.*

Sir *J. Newport* said, the debt of Ireland had been created by her having undertaken to pay a most unreasonable share of the expenses of the empire by the act of union. It was unfair to visit this rash undertaking on the part of Ireland upon her in every debate on her financial situation. The only reasonable argument would be to show, that she had not paid as much as her means enabled her. But could this be proved? Was not the contrary manifest by the failure of all the budgets of all the ministers who had attempted to increase the revenue? It was a fact which should be generally known, that the estimated increase of the revenue to be effected by the several new taxes imposed in Ireland from 1808 to 1817, was rated by the several ministers at 3,500,000*l.* yet the revenue of 1817 only exceeded that of 1808 by 50,000*l.* As it was utterly impossible to suppose that this had arisen from want of ability in all the ministers, it could only have been caused by the inability of the people to bear taxation. The mass of the Irish people were poor beyond the idea of English legislators, and many of those who could bear taxes, had by the union been called away to this island to increase its riches and to add to the disproportion between the wealth of the two countries. The chief objection to this tax was, its effect in promoting disease. This effect was proved by the report of the medical board. The exclusion of light and air, by the endeavour of the poor to escape the pressure of the window tax, was evident from this fact, that while the landlords of houses in Dublin, who kept their windows open on the lower floor, were free from the contagion, the poor lodgers above stairs, who closed their windows in order to escape the tax, were most severely afflicted by it.

Lord *Castlereagh* argued, that as parliament was always found generous in its consideration of the peculiar circumstances of Ireland, it would ill become the advocates of that country to trespass upon such generosity. It must be recollected, that 50 per cent. had been on a late occasion deducted from the assessed taxes of Ireland, while a discretionary power was left to the government still farther to mitigate those taxes. But the operation of the tax under discussion had also been most materially mitigated in certain cases, through the discretion of the government which discretion was sanctioned by parliament; and he was confident of the readiness of his right hon. friend, the chancellor of the exchequer, to accede to any mitigation that might be suggested. To the motion, however, before the House, neither his right hon. friend nor himself could consistently agree; for according to that motion, it was proposed to repeal the tax altogether. But upon what rational ground could it be contended that Ireland should not pay any window tax, while every other part of the empire was subject to that tax? The right hon. baronet had dwelt much upon the contributions of Ireland since the union. But it should be recollected that that country had by no means for several years paid its fair proportion towards the expenses of the empire. It was, indeed, the peculiar advantage of Ireland, that it was enabled to fight against the common enemy, as well as against internal rebellion, from the purse of the empire, whilst its own contribution was hardly sufficient to defray the expenses attending the contest against its own domestic foes. This advantage Ireland enjoyed for nearly 18 years, and was it not then too much to say, that that country, for which he felt every due solicitude, should be exempt from a tax that was paid by Scotland? As to the arguments drawn from the assertion, that the tax under consideration was originally imposed as a war tax, and ought not to be continued in peace, he begged gentlemen to consider, that it did not follow, because a chancellor of the exchequer expressed a hope upon the imposition of a tax, that it would be only required during war, that such tax must necessarily be discontinued upon the conclusion of a peace, the war continuing much longer than the chancellor of the exchequer could have calculated. This hope being consequently disappointed, such an inference was indeed by no means fair, and therefore it had not been insisted upon in that House; for it was known that between four and five millions of what were originally denominated war taxes, were still continued in England, while the present tax, bearing that denomination, amounting to only 200,000*l.*, was continued in Ireland. In England also, it must be remembered the property tax, originally a war tax, had been continued for several years in peace, while Ireland was altogether exempt from its operation. But it was said, that Ireland was too poor to pay the tax under discussion. Was she not, however, as competent to pay that tax as Scotland, and was it not too much to maintain, that while Scotland paid this tax Ireland should be relieved from its pressure in perpetuity? He lamented the endeavours which had been made to swell the existence of this tax into a great national grievance, especially considering the pressure of taxation in England, which had paid 200 millions of that property tax from which Ireland was altogether exempt. There had been quite a mistaken conception upon this subject in Ireland. But he was glad to perceive that this misconception was in a great measure removed. This indeed he was led to conclude from the conduct of his own constituents, to whom he had addressed a letter last year, in reply to a remonstrance from them respecting this tax, and he had since received no such communication upon the subject; whence he inferred that their opinion was altered.

Mr. *Wilberforce* said, that he had attended upon this occasion with the most favourable disposition towards Ireland, to which he thought this country owed a long arrear of kindness and justice, especially for the system pursued respecting her government previous to the union; but still he must declare that he felt it his duty to oppose the motion. He felt as an Englishman the highest regard and obligation towards Ireland, not from her pecuniary supplies for the common object of the empire, but from her contribution of men—from her having furnished the gallant soldiers and the great captain through whom the deliverance of Europe was mainly achieved.

Mr. *Hutchinson* ably supported the motion, which, from the language of the noble lord, would, he apprehended, be met by a decided negative. But it was too much, he thought, on the part of the noble lord, to aggravate the mortification of that negative, by the lecture which he had read to the representatives, and to the people of Ireland. The noble lord had endeavoured to show, that Ireland had reason to be satisfied with the conduct of England since the enactment of that diabolical measure, the Union. But how had the noble lord's endeavour succeeded? He had asserted, that the internal expenses of Ireland had been enormous; but whence that expense? Why, in erecting barracks, and in maintaining an extraordinary number of soldiers and policemen, to prevent the expression, or guard against the consequences, of that discontent which a notorious system of misrule had engendered. Yet, to defray the expense of such a system, it was determined to uphold the tax under discussion, which was, perhaps, the most noxious that the ingenuity of taxation could devise.

Mr. *Martin*, of Galway, declared his resolution to resist the motion, notwithstanding the opinion of the great body of his colleagues from Ireland, and the communication which he had received from the capital of the county which he had the honour to represent. But he would act from his own conviction; and in so acting, he had the satisfaction to think that he should return to his country completely sheltered from censure by the universal popularity of the right hon. secretary for Ireland.

Mr. *Grattan* said, that as on the one hand he should be sorry to abandon the post of strength of his country, so on the other he should be sorry to make an invidious contrast of the state of England with that of Ireland. Such a contrast might lead to a competition of strength between the two countries, which ought always to be avoided, and still more so after a marriage had taken place between them, which it was the interest of every loyal patriot to make as indissoluble as possible. The chancellor of the exchequer, in diminishing the window-tax as he had diminished it, had done himself the greatest honour, and his constituents were grateful for the mitigation which he had effected of the burthens which were imposed upon them. The right hon. gentleman had addressed to the churchwardens of the different parishes in Dublin, queries: 1st, as to the number of houses in each parish; 2dly, as to the number of houses inhabited; 3dly, as to the number to be let, occupied or not: and 4thly, as to the number of insolvencies. What did the House think was the answer to these inquiries? He would tell them. In the parish of St. Mark there were 85 houses shut up, 50 to let, and 120 insolvent. In that of St. Andrew there were 400 houses, of which 147 were in arrear to the collector, and 95 insolvent. In that of St. James there were 700 houses, of which 50 were uninhabited, 150 to let, and half insolvent for the grand jury cess. In the parish of St. Michael within, there were 184 houses, of which 70 were inhabited, 14 uninhabited, and 30 or 40 insolvent. In St. Mary's were 1,500 houses, of these 271 were shut up, and 291 were returned insolvent. In St. Thomas's were 1,458 houses, of which 146 were insolvent, and 450 waste. In St. Catherine's were 1,887 houses, of which 105 were insolvent, 110 in ruins, and 90 waste. In St. Bridget's 680 houses, of which 103 were shut up, and 57 open, though insolvent. In St. Michael's were 111 houses, of which 42 were insolvent, and 11 shut up. In St. Andrew's, 650 houses, of which 129 were insolvent; and in Werburgh's, 267 houses, of which 37 were insolvent. Such was the plain statement of facts; and after it, he did not think it requisite to trouble the House with any farther remarks.

Sir *N. Colthurst* said, that though he in common with his fellow countrymen did not wish to shrink from the exigencies of the state, still he must condemn the tax as being the origin of disease and distemper in Ireland.

Mr. *Colclough* said, that this tax had not merely increased the typhus, but had also entailed upon posterity a chronic malady called the scrofula. He could assure gentlemen, that this disorder had increased to a ten-fold degree since the institution of the window-tax.

Mr. *Marryat* said, that the hon. gentleman opposite reminded him of the old man who married two young wives, one of whom pulled all the black hairs from his head, and the other all the white, till at last none at all were left to the old dotard. So it was with the hon. gentleman and the present taxes; they wished to pull one way in the name of morality, another in the name of humanity, and another in the name of philanthropy. If they were allowed to do so, the country would be left without any resources. Morality, humanity, and philanthropy were more flourishing than the revenue. If it were not for the taxes there would have been a revolution, and in that case morality, humanity, and philanthropy, would have been buried under that hideous mass of crime which the civilized world had seen in France. As a friend, therefore, of all these high-sounding words, he must oppose the repeal of the tax in question.

Mr. *Callaghan* supported the motion, first, because the tax was so unpopular in Ireland, that its receipts were not worth the sacrifice, next because Ireland had not had a proportionate remission of taxation since the arrival of the peace. It would be wise to commute such a tax, when the popular odium was so expressed.

Mr. *Forbes* spoke in favour of the repeal. The faith of the Irish parliament was pledged to its repeal, and, in his opinion, no financial arrangement could justify a breach of faith.

The House then divided:—For the motion, 73—Against it 150—Majority, 77.

*List of the Minority.*

Abercromby, hon. J.
Archdall, gen.
Burroughs, sir W.
Barnett, James
Bennet, hon. H. G.
Burdett, sir F.
Benyon, Ben.
Butler, hon. J.
Butler, hon. C.
Bagwell, rt. hon. W.
Browne, Dom.
Becher. W.
Bective, earl of
Callaghan, G.
Coffin, sir Isaac
Colclough, C.
Colthurst, sir N.
Clifford, Aug.
Carroll, John
Carew, R. S.
Chichester, Arthur
Denman, Thos.
Euston, earl of
Fitzgerald, lord W.
Fitzgerald, ——
Fitzgibbon, hon. R.
Forbes, C.
Gordon, Robt.
Glerawley, lord
Grattan, right hon. H.
Hart, Gen.
Hutchinson, hon. C.H.
Hill, lord A.
Hurst, R.
Hamilton, H.
Kirby, John
Knox, hon. T.
Kennedy, Thos. F.
Latouche, John.
Leslie, C. P.
Maule, hon. W.
Merest, J. D.
Mills, George
Madocks, W. A.
Newport, rt. hon. sir J.
Noel, sir Gerald
O'Callaghan, J.
O'Brien, sir E.
Plunkett, rt. hon. W.
Parnell, sir H.
Parnell, Wm.
Palmer, C.
Palmer, C. F.
Primrose, hon. F.
Power, Rd.
Ponsonby, hon. F. C.
Pares, Thos.
Prittie, hon. F. A.
Robarts, W. T.
Robarts, A.
Richardson, W.
Rickford, W.
Shaw, R.
Symonds, T. P.
Smith, hon. R.
Stewart, sir John
Somerville, sir M.
Sneyd, Nat.
Talbot, R. W.
Tavistock, marq. of
Vereker, col.
White, Luke
Westenra, hon. H. R.
Walpole, hon. G.
Wilson, sir Robt.

PAIRED OFF.

Althorp, visct.
Cavendish, lord G.
Duncannon, visc.
Dundas, hon. L.
Le Fevre, S.
Russell, lord W.
Stewart, Wm.

## HOUSE OF LORDS.

### *Thursday, May* 6.

Clergy Dispensation Bill.] The Archbishop of *Canterbury* presented a bill for securing spiritual persons in their benefices in certain cases. His grace stated, that he introduced the bill in consequence of a supposed doubt that had arisen respecting the power of granting dispensations. Supposing a spiritual person to be in possession of a benefice A, and to have subsequently obtained another benefice B, to hold which with A, he had received a dispensation from the archbishop, and supposing such spiritual person to have acquired another piece of preferment, C, which he wished to hold with B, vacating A, and to have obtained a second dispensation for that purpose from the archbishop, the doubt had arisen whether the second dispensation was not a nullity. The object of the bill therefore was, to remove this doubt, to secure spiritual persons so circumstanced in their benefices, and to prevent a lapse of patronage to the bishop, the archbishop, or ultimately to the Crown, arising from the benefices in question not having been legally vested in the incumbents.

The bill was read a first time.

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## HOUSE OF COMMONS.

### *Thursday, May* 6.

Royal Burghs of Scotland.] Colonel *Stewart* presented a petition from the burgh of New Galloway, praying that the House would not adopt the suggestions of those persons who called for an alteration in the constitution of the Scottish burghs, or who demanded a reform in parliament. It appeared to him, that the individuals who called for the burgh reform had some other object in view, or they would have paid more attention to the bill introduced by the lord advocate.

Mr. *J. P. Grant* said, that if he understood the hon. and gallant officer correctly, he had stated that the burgesses of Scotland who had petitioned for an adequate reform of the royal burghs had a different object than that which they professed, otherwise they would have directed their attention to the benefits of the bill now pending in that House. Now, from every information that he had received, the burgesses had given that bill the fullest consideration; and the result of that attention was, that the great body of the burgesses were convinced that such a measure, if passed into a law, would tend to make bad worse, by confirming the notorious abuses already in operation.

General *Fergusson* said, he held in his hand a petition from the burgesses of Dunfermline, signed by 952 persons, praying for redress from those grievances so loudly expressed throughout Scotland, arising from the self-election of magistrates. These petitioners declared, that if the bill introduced by the lord advocate passed into a law, it would aggravate the existing abuses, and leave the parties affected without any remedy. The petitioners alleged that they had seen with astonishment, in a report of a speech said to have been made by the lord advocate, a statement in which the burgesses of Scotland were described not as respectable, but the reverse——

The *Speaker* observed, that the petitioners could know nothing of any speech made in that House.

Lord *Castlereagh* considered the passage so objectionable as to prevent the petition being received. His learned friend was not in his place, but he was confident he had never said or meant any thing derogatory to the great body of the burgesses of the royal burghs.—The petition was withdrawn.

Mr. *J. P. Grant* presented a similar petition from the corporation of tailors at Edinburgh, which he said he should not have offered to the House in the absence of the lord advocate, had he not intimated to the learned lord his intention of doing so. The language of this petition, however, had a marked distinction from that just withdrawn by his gallant friend. It stated that the petitioners "had heard that the respectability of their corporation, as well as of others, had been called in question by a member of the House; but that they did not think it necessary to justify themselves, as they trusted their good conduct and general usefulness were too well known." In another part of the petition, the petitioners said, "they had heard with astonishment and indignation, that they had been charged by a Scotsman, a member of the House, with being radical reformers," &c. They did not state, however, that that charge was made in the House. The House would, however, do what they chose with the petition.

The *Speaker* remarked, that the impression on his mind was, that the two parts of the petition quoted by the hon. gentleman, if taken together, involved a complaint of something said in that House.

Lord *Castlereagh* was of opinion, that it was inconsistent with the privileges of the House, to receive such a petition.

The *Lord Advocate* wished not to be understood to have thrown any slur on any body of individuals. What he had stated was, that burgesses in Scotland, whether in the capital or in the provinces, were neither from their education, their habits of life, or their property, more respectable in the abstract, or entitled to greater consideration, than the other inhabitants of the burghs, who were more enlightened by education, and who had greater property at stake. The petitioners complained of his having called them radical reformers. What he had stated, he would state as often as it became his duty to address the House on the subject, namely, that to adopt the proposed alteration in the Scots burghs, would be to overturn the established constitution of those burghs, and to change it fundamentally from the form in which it was fixed by the union.

Sir *J. Mackintosh* observed, that the petition did not convey any complaint of what had actually taken place in the House.

Sir *G. Clerk* replied, that the expressions in the petition must be taken as referring to what had occured in that House, and no where else; and that he could see no reason why this petition should not fall under the same rule which had excluded its predecessor.

The petition was withdrawn.

Mr. *Hume* said, he held in his hand a petition from the royal burgh of Aberdeen, praying for a reform of the burgh system in Scotland. It complained of the system of self-election practised by the magistrates, and pointed out the necessity of giving the burgesses the power of electing their magistrates. It was signed by 14 burgesses of Aberdeen, whose united property amounted to upwards of half a million sterling: in addition to which, it contained the names of three-fourths of the burgesses of Aberdeen, though it had been kept open for signatures but a few hours.

Lord *A. Hamilton* said, he had several petitions of a similar nature to that just laid on the table, to present, and among others, there were two from the burghs represented by the lord advocate, who opposed himself to any alteration in the burgh government of Scotland. The two petitions to which he alluded were from the burghs of Anstruther, complaining of the burgh government, and praying the interference of the House—The petitions were read and ordered to be printed.

SECOND REPORT FROM THE COMMITTEE OF SECRECY, ON THE EXPEDIENCY OF THE BANK RESUMING CASH PAYMENTS.] Mr. Peel presented the following Report from the Committee of Secrecy on the Affairs of the Bank:

## SECOND REPORT.

The COMMITTEE OF SECRECY, appointed to consider of the State of the Bank of England, with reference to the Expediency of the Resumption of Cash Payments at the period fixed by law, and into such other matters as are connected therewith; and to report to the House such information relative thereto, as may be disclosed without injury to the public interests, with their observations thereupon;—have farther considered the matters to them referred, and have agreed upon the following Report:—

Your Committee will preface the observations they have to make upon the matters immediately referred to them by the House, by a brief recapitulation of the laws which imposed and have continued the Restriction upon payments in Cash by the Bank of England.

It is not necessary to advert to the circumstances under which that Restriction was originally imposed by order in council in the year 1797, as they became the subject of parliamentary inquiry previously to the passing of the act, by which the restriction was confirmed and continued. Its duration was limited by the first act, which received the royal assent on the 3d of May, 1797, to the 24th of June following. From that period it was continued until one month after the commencement of the succeeding session; and again by the first act of that session, until one month after the conclusion of the war, by a definitive treaty of peace.

In 1802, the provisions of the acts above referred to were continued in operation until the 1st March of the following year; they were farther continued until six weeks after the commencement of the then next session of parliament, before which period war having again broken out, they were continued until six months after the ratification of a definitive r eaty of peace.

An act which passed in the year 1814, continued the restriction until the 25th March of the following year, when, by an act which recited in the preamble, " that it was highly desirable, that the Bank of England should, as soon as possible, return to the payment of its notes in cash," the farther suspension of cash payments was directed until the 5th July, 1816.

In 1816 it was again continued till the 5th July, 1818, the preamble of the act reciting, "that it is highly desirable that the Bank of England should, as soon as possible, return to the payment of its notes in cash; but it is expedient that the provisions of the acts imposing the restriction shall be farther continued, in order to afford time to the directors of the Bank to make such preparations as to their discretion and experience may appear most expedient for enabling them to resume payments in cash without public inconvenience, and at the earliest period, and that a time should be fixed at which the said restriction shall cease."

The act which passed in the last session, after reciting that it is highly desirable that the Bank of England should, as soon as possible, return to the payment of its notes in cash, and that "unforeseen circumstances which have occurred since the passing of the last act continuing the restriction, have rendered it expedient that the restriction should be farther continued, and that another period should be fixed for the termination thereof," directed that the suspension should remain in force another year.

The restriction therefore at present stands limited to the 5th July next; and, in fulfilment of the duty imposed upon them by the House, your Committee will proceed, in the first instance, to report the result of their inquiries into the state of the Bank of England, and their opinion with respect to the expediency of the resumption of payments in specie, at the period at which by law they are to be resumed.

I.—Your Committee called for an account of the total amount of outstanding demands on the Bank of England, and of the funds in the possession of the Bank for the discharge of those demands; and have ascertained, that the sum which the Bank were liable to be called on to pay, in fulfilment of their engagements, amounted, on the 30th January last, to 33,894,580*l.*, and that the Bank were then in possession of government securities and other credits to the amount of 39,096,900*l.* leaving a surplus in favour of the Bank of England of 5,202,320*l.*; exclusive of the permanent debt due from government to the Bank of 14,686,800*l.*, repayable on the expiration of the charter.

This document furnishes a clear and decisive proof of the flourishing condition of the affairs of the Bank of England, and justifies that ample confidence which the public have reposed in the stability of their resources.

The next point upon which the Committee required information, respects the amount of cash and bullion in the coffers of the Bank, at the present and at various other periods since the year 1797.

After several fluctuations in the amount of their treasure, which was very much reduced at the close of the war, there appears to have been a gradual increase from the month of July, 1815, to the month of October in the year 1817. During the interval between July, 1816, and July, 1817, the market price of gold did not exceed 3*l.* 19*s.* per oz. The exchanges with the continent, for a very considerable portion of that period, were in favour of this country; and the Bank took advantage of those circumstances, and made a great addition to the amount of the precious metals in their possession. The purchases made by the Bank appear to have had no unfavourable effect on the price of gold; and there is reason to believe, that it would have fallen to the Mint price, had not the Bank fixed the rate, at which they were willing to purchase, at 3*l.* 18*s.* 6*d.* per oz. Mr. Goldsmid informed the Committee, that "at that period there were no other buyers in the market, at the price which was given by the Bank; had there been, they would have been supplied on the same terms, if they had wanted gold." Being asked, whether, if the Bank had not been purchasers at 3*l.* 18*s.* 6*d.* he believes the price of gold would have fallen to the Mint price? he answers, "I think it might, after some time; but that is matter of opinion only."

In the year 1817, the Bank had a much larger amount of cash and bullion in their coffers, than they had been in possession of at any former period since their establishment. From the commencement of the year 1818, the stock has been progressively diminished. This diminution has taken place in consequence of engagements into which the Bank entered (in conformity with the power reserved to them by the original restriction act) in the months of November, 1816, and April and September of the following year, to pay, in the first and second instance, cash for all notes issued prior to the 1st January, 1812, and 1st January, 1816; and in the latter, to pay cash for their notes of every denomination dated prior to the 1st January, 1817.

The total quantity of gold coin issued from the Bank, in consequence of the engagements thus entered into, and the continuance of the fractional payments, under five pounds, appears, by accounts before the House, to have amounted, between the 1st January, 1817, and the 1st January, 1819, to the sum of 1,596,256*l.* in guineas and half-guineas, and in sovereigns and half-sovereigns to 4,459,725*l.* Your Committee have ascertained, that subsequently to the 1st January there has been a farther demand on the Bank for gold to the extent of about 700,000*l.* The total sum, therefore, which has been issued by the Bank since the commencement of the year 1817, has been about 6,756,000*l.*; and no doubt can be entertained, that the coin thus drawn from the Bank was demanded, not for the purposes of internal circulation, but in order to realize a profit, either on its sale as bullion in this country, or on its exportation.

Your Committee are confirmed in this conclusion, by the documents before the House; from which it appears, that the sum issued from the 9th December, 1816 (when the notes of the Bank became payable under the notice issued in the preceding month), to July, 1817, amounted only to 38,020*l.* 10*s.* though the Bank had become liable, on the 2nd of May of the latter year, to pay cash for all their notes of 1*l.* and 2*l.* value, dated prior to the 1st of January, 1816.

In July, 1817, the foreign exchanges became unfavourable, and have continued so since that period; a profit has been realized on the exportation of gold coin, and the Bank has been subject to a constant demand for cash in payment for their notes.

The following extract from the evidence given by Mr. Alexander Baring, shows the purposes to which a considerable portion of the gold thus withdrawn from the coffers of the Bank has been applied:—" In France it appears, by the report of the minister of finance, that there has been carried to the Mint of France, in the sixteen months preceding the 31st December last, gold to the amount of 125 millions of francs (being equal to about 5 millions sterling); and silver to the amount of a little more than 3 millions of francs. Of that gold, upwards of three-fourths was in coin from this country; and this operation has continued during the present year, though the amount of the importations of this year has not been reported."

Your Committee are satisfied that the Bank, in undertaking to pay their notes in cash, under the circumstances above mentioned, acted from the best motives, and from a belief that the measure would tend to facilitate the complete resumption of payments in specie. Unfortunately, it has had a contrary effect; the last of the three notices having been given at a period when the exchanges were unfavourable, when the price of gold had risen from 3*l.* 18*s.* 6*d.* to 4*l.* per oz.; and at a time when the Bank had not (according to the evidence given by Mr. Harman) that control over their issues, which might have enabled them to counteract the effect of the unfavourable exchange, by a reduction of their paper currency.

There was, in fact, in the half year between July and December, 1817, a considerable increase in the amount of notes issued by the Bank. The average amount outstanding, in the four half years preceding, had not exceeded 26,771,914*l.* In this half year it was increased to 29,210,035*l.*; having been, in the previous half year, 27,339,768*l.* It appears, by the returns, that on the 5th July, 1817, immediately preceding the payments of the dividends, the amount outstanding was 25,800,000*l.*; and on the 4th October, being a few days before the payment of the dividends of that quarter, the amount was 28,900,000*l.*

The issue of sovereigns between July and December, 1817, amounted to 1,240,422*l.*; so that, had the sovereigns remained in circulation, there would have been an increase to the circulating medium issued by the Bank of England in the course of that half year, compared with the average amount outstanding in the four half years preceding, to the extent of 3,678,543*l.*

Your Committee cannot avoid expressing an opinion, that whatever might be the policy, and however laudable the intentions, of the Bank, in engaging to make partial issues of coin in payment of their notes, yet, when the exchanges became unfavourable, and the price of gold rose above the Mint price, the only mode by which they could have retained the coin in circulation, would have been a contraction of their issues; and unless the Bank, at that period, possessed such a control over the amount of those issues, as would have enabled them to effect that object, your Committee must consider it to have been inexpedient, in the then state of the exchanges, to undertake an extensive though partial issue of coin, which subjected the Bank to considerable loss, and a great drain of treasure.

Under these impressions, and from a firm conviction that the continued issue of coin from the Bank, by diminishing the amount of their treasure, would have the effect of postponing the period at which the termination of the restriction can take place, without producing on the other hand any advantage whatever to the country, while the exchanges and the price of gold are in their present state, your Committee were induced to recommend to the House, in their first report, the immediate enactment of a law to suspend all payments in gold coin by the Bank, until your Committee might be enabled to present to the House, their view of the whole subject which has been referred to their consideration.

The next important point to which the committee will call the attention of the House, is the amount of the issues of the Bank of England, which are outstanding upon government securities; or, in other words, the amount of the debt due by the public to the Bank of England.

The necessity of the repayment of a large portion of that debt has been so earnestly insisted on by the Bank, and the nature and extent of the connexion between the government and the Bank, involve so many important considerations, that your Committee deem it incumbent upon them to enter into some detail with respect to the origin and gradual increase of the advances made by the Bank on behalf of the public, and the effect which they have, when carried to the amount at which they at present stand, of depriving the Bank of that control over their issues of notes, the possession of which is deemed by them an essential preliminary to the resumption of cash payments.

In the appendix to the report will be found an account of the amount of advances made by the Bank of England to government on exchequer bills and other securities, from the year 1792 to the latest period to which it can be made up.

The first item of this account, entitled, an advance out of sums issued for the payment of dividends, now amounting to the sum of 1,098,820*l.*, ought not, in the opinion of your Committee, to be considered as any portion of the debt due by the government to the Bank. It arises from money originally lodged by government at the Bank for payment of dividends to public creditors, which not having been claimed has been withdrawn from the Bank, and applied to the public service, under the provisions of acts of the legislature passed in the years 1791, 1808, and 1816. It is not therefore an advance from the funds of the Bank, but is the property of the public creditors, which has been made available for public purposes until demanded by them.

It will be seen from the account, that a great proportion of the advances of the Bank are at present made under the two heads of "exchequer bills issued;" and "exchequer bills purchased;" and before the committee point out the distinction between those heads of the account, they will shortly advert to the laws which have been passed since the institution of the Bank for the regulation of their advances to government.

On the original establishment of the Bank, by the 5th and 6th William and Mary, a penalty is imposed upon the directors, if they purchase, on account of the corporation, any crown lands, or if they advance to his majesty any sum of money, by way of loan, or anticipation on any branch of the public revenue, other than on such funds only on which a credit of loan is or shall be granted by parliament. Such credits have ever since been granted from time to time, and advances made upon them. The amount annually from the year 1777 to the year 1792, extracted from the documents published in the report of the committee of secrecy of 1797, will be found in the appendix.

In the year 1793 an act was passed protecting the governor and company of the Bank of England from any penalty, on account of their having advanced, or advancing in future, any sums of money in payment of bills of exchange accepted by the lords of the Treasury, and made payable at the Bank, but not charged on any branch of the revenue. The motives for passing this act are fully detailed in the evidence given by Mr. Bosanquet, then a director of the Bank, to the committee of secrecy in the year 1797. He states, "that it had been the custom of the Bank, time out of mind, to advance, for the amount of such treasury bills of exchange as were directed for payment to the Bank, until until the amount was about 20 or 30,000*l.*, when the Treasury usually sent orders for the amount of such advance, to be set off from the respective accounts to which the bills properly belonged. In the American war, they had been permitted to run to a larger amount, but he believed they never exceeded 150,000*l.* Doubts occurred to him, when governor, whether the penalties of the act of William and Mary did not extend to this transaction; and for the purpose of removing them, the act of 1793 (33 Geo. 3. chap. 32) was introduced and passed." It appears to have been originally proposed, that the Bank should be empowered to advance to a limited amount of 50,000*l.* or 100,000*l.*: but the act passed without any limitation; its operation being of course confined to advances upon treasury bills of exchange, on which species of security however, no advances appear to have been made since the restriction.

By an act (37 Geo. 3, chap. 91) which passed very shortly after the first restriction act, the Bank were prohibited from making any loan or advance on account of the public service, during the continuance of the restriction; but at the commencement of the following session (38 Geo. 3, chap. 1) it was enacted "that the Bank may make an advance on the credit of duties on malt, and on the land tax imposed in that session, and any other advance which may be authorised by any other acts which may be passed during the continuance of the restriction."

In almost all the acts authorizing the issue of exchequer bills passed subsequently, a special clause has been introduced empowering the Bank to advance the whole or a portion of the amount specified in the act. They never advance any sum beyond the amount to which they are limited in the several acts, nor have the bills issued to them and the bills purchased by them, together, exceeded that amount.

The bills described as "issued," are those which pass directly to the Bank from the exchequer, under special contracts or agreements entered into; as, for instance, the bills issued upon the credit of annual duties, and upon the advance of 3,000,000*l.* as a loan to the public, in consideration of the renewal of the charter.

The bills "purchased" are those which are taken by the Bank (usually on an application from the Treasury), when an issue of exchequer bills takes place, and when they cannot be sold to the public at a premium. The Bank never credit any premium, nor deduct any discount upon the bills thus taken; nor do they resell such bills to the public.

An account in the appendix shows the total amount of exchequer bills authorized to be issued by parliament in every year since the year 1792, and the amount which the Bank was authorized to take of each description of bills.

The amount of the advances of the Bank to government (deducting the sum issued from the unclaimed dividends) on the 26th February and 2nd August of each year since the year 1814, and of the bank notes issued during the corresponding half years, appears from the accounts presented to your committee to have been as follows:

| | | BANK NOTES. | | ADVANCES. |
|---|---|---|---|---|
| 1814. | January to June | 25,511,012. | —February 26, 1814 | 23,607,300. |
| „ | July to December | 28,291,832. | —August 2, „ | 34,937,800. |
| 1815. | January to June | 27,155,824. | —February 26, 1815 | 27,156,000. |
| „ | July to December | 26,618,210. | —August 2, „ | 24,079,100. |
| 1816. | January to June | 26,468,283. | —February 26, 1816 | 18,988,300. |
| „ | July to December | 26,681,398. | —August 2, „ | 26,042,600. |
| 1817. | January to June | 27,339,768. | —February 26, 1817 | 25,399,500. |
| „ | July to December | 29,210,035. | —August 2, „ | 27,330,718. |
| 1818. | January to June | 27,954,558. | —February 26, 1818 | 27,002,000. |
| „ | July to December | 26,487,859. | —August 2, „ | 27,060,900. |
| | ——— | ——— | —February 11, 1819 | 21,930,000. |

From the year 1790 to the year 1797, when the restriction act passed, the amount of advances made by the Bank to government and of the notes outstanding on the 25th February in each year, was—

| | Bank Notes. | Advances. |
|---|---|---|
| 1790 | 10,217,360 | 7,908,968 |
| 1791 | 11,699,140 | 9,603,978 |
| 1792 | 11,349,810 | 9,839,338 |
| 1793 | 11,451,180 | 9,066,698 |
| 1794 | 10,963,380 | 8,786,514 |
| 1795 | 13,539,160 | 11,114,230 |
| 1796 | 11,030,110 | 11,718,730 |

The amount, therefore, of advances to the government does not appear to have borne, for some time previously to the restriction act, a much less proportion to the total amount of notes outstanding, than the advances since 1814 have borne to the notes issued in corresponding periods.

It will be seen, that a material reduction of the debt to the Bank took place between the month of August 1815 and the month of February 1816; it having been reduced in the latter period to the sum of 18,988,300*l.* deducting the advances from unclaimed dividends.

This debt was again increased between February 1816 and the August following. In that interval, war taxes to a very considerable amount were remitted; a large addition, authorized by several acts of parliament, was made to the unfunded debt, and to the advances for which the government were indebted to the Bank. The amount of those advances was again reduced from 27,060,900*l.* to 21,930,000*l.* between the 2nd August 1818 and the 11th February 1819.

I was proposed in 1818, to repay to the Bank a sum from 8 to 9 millions, by gradual instalments of one million a month, from the month of May; the Bank having then considered that repayment sufficient (according to the evidence of the governor) "to enable them to make the experiment of the resumption of cash payments."

To meet these charges and the services of the year, and also to effect a farther reduction of the unfunded debt, provision was made by a loan of 3 millions in money, and a gradual funding of exchequer bills to the amount of about 27 millions with power to the subscribers of making money payments, instead of bringing in exchequer bills; and it was understood that the Bank should retain one half of the monies paid in, to the extent of the monthly payments above-mentioned.

It appears, however, that the sum paid in money on account of this loan fell short of the amount which was expected, and the repayment of the Bank did not much exceed five millions at the end of January 1819; one million of which the Bank do not consider as an effective repayment, interest to that amount being due to the Bank upon the whole of their advances.

The amount of the advances of the Bank to government was, on the 29th April last, 19,438,900*l.*; the sum of 1,098,820*l.* being deducted from the account furnished by the Bank, as the amount of advances on sums issued for the payment of dividends.

It will be seen by reference to a communication made by the court of directors of the Bank to the committee, as well as from the whole tenor of the evidence of the directors who were examined personally before them, that they consider the repayment of a large proportion of those advances essentially necessary, preparatory to the resumption of cash payments. As the notes which are issued by the Bank upon the discount of mercantile bills revert to them at the expiration of the period which those bills have to run, and which never exceeds 65 days, it is clear that that portion of their issues can be extended or limited at their discretion; whilst over the notes which are issued in consequence of advances to government, they have not practically the same control. To whatever extent these advances may be reduced, the Bank will gain a corresponding control over the amount of their circulating paper, and will be enabled to supply the diminution of notes thus created by an increase of their issues, either upon the discount of mercantile bills, or by the purchase of bullion, or if necessary to make a reduction in the total amount of notes outstanding equal to the whole or any part of the repayment.

The only mode, during a suspension of

cash payments, by which the Bank can effect a reduction of their issues, supposing no part of the advances made by them to the government to be repaid, is by limiting that accommodation to trade, which they have long been in the habit of granting, by the discount of mercantile bills of undoubted solidity, arising out of real commercial transactions, and falling due within short and fixed periods.

Although the amount of the advances made by the Bank on public securities is accurately stated in the account in the appendix, and although the committee strongly advise the repayment of the portion of them required by the Bank; yet they think it necessary to observe, that in determining the actual amount of the debt due to the Bank on account of these advances, an allowance ought to be made, in favour of the public, to the extent of the balances of public money deposited at the Bank.

The attention of parliament appears to have been first called to the extent and operation of those balances, in the Report of the Committee on public expenditure, presented in the year 1807; from which it appears that the aggregate amount of the public money deposited at the Bank, was then calculated to be 11,104,919*l.*; and a sum equal to 5 per cent interest, on the average balances in question, was considered, by that Committee, not far from the amount of the profits derived by the Bank from this source.

The average amount of public balances held by the Bank appears to have been about eleven millions, from the year 1807 to the year 1816; and in consideration of the advantage resulting to the Bank from the possession of them, the sum of three millions was advanced by the Bank to government, without interest, in 1808, which advance was continued, under the authority of acts passed by the legislature, to April 1818.—Since the year 1816, the public balances held by the Bank have been diminished, and their average amount in the year 1818 did not exceed the sum of seven millions. Their amount has been still farther reduced by the operation of an act which has passed in the present session, which makes the growing produce of the consolidated fund available, to a limited extent, for the public service; and in a certain degree within those limits lessens the benefit previously derived by the Bank from its accumulation from the first to the last day of each quarter.

It appears however to the Committee, that whatever may be, either now or hereafter, the amount of the public balances held by the Bank, that amount ought always to be kept in view, and allowance made for it when the advances from the Bank to the government are under consideration; for it is clear, that if a final settlement of this account were to take place, the public money deposited with the Bank must be set off against the advances made by them to the government upon exchequer bills, and other securities bearing interest.

In confirmation of this view of the subject, the Committee beg leave to refer to the evidence of Mr. Haldimand, now one of the bank directors. He states, that "it is his opinion, that a sum of from 8 to 10 millions should be repaid to the bank by government, supposing the public balances to remain without any considerable decrease in amount." And being asked, "Does the aggregate amount of such balances operate as a diminution of the amount of the total advances made by the Bank to the public?" he answers, "Yes, it does."

For the reasons alleged, it appears to your Committee, that although the amount of the advances of the Bank upon government securities is accurately stated in the appendix, yet in determining the effect which these advances have, of diminishing the control of the Bank over their issues, a deduction must be made corresponding in amount to the average sum held for any given period by the Bank as a deposit of public money, since that deposit, by lessening the amount of notes in circulation, restores to the Bank in proportion to its extent, the power of acceding to the applications made to them for the discount of mercantile bills.

Your Committee trust they shall not be considered to have entered into unnecessary details in having thus given a full exposition of the relations between the government and the Bank. It will be seen by reference to the evidence that, the amount of their advances to the public is urged by the Bank as one of the main impediments to the early resumption of cash payments; and that in order to make preparations for their resumption, the Bank require a repayment to the extent of ten millions.—The Committee was anxious therefore that the amount and operation of these advances, and the degree to which their effect is counteracted by the balances of public money held by the Bank, should be clearly understood; and this appeared to them the more necessary, as the Committee feel it their duty to close this branch of their inquiry, with an earnest recommendation to the House, to make immediate provision for the gradual repayment to the Bank of that portion of the debt, which the Bank require to be repaid, and to establish some permanent provisions, limiting and defining the authority of the Bank to make advances to the government, and to purchase government securities; and bringing under the constant inspection of parliament, the extent to which that authority may be in future exercised.

II.—Your Committee proceed to the next head of their inquiry,—The expediency of reverting to cash payments, at the period fixed by law for their resumption.

It will be seen, by a reference to the papers in the Appendix, that the Bank, without departing from the principles upon which their issues on the discount of mercantile bills have long been regulated, have made a very considerable reduction in the amount of notes outstanding, compared with their amount at the commencement of the year 1818.

| | £. |
|---|---|
| From July to December 1817 the average amount was - | 29,210,035 |
| From January to June 1818 - | 27,954,518 |
| From July to December do. - | 26,487,859 |
| The average amount for the three months to the end of March 1819 - - - - - | 25,794,460 |

Should the Legislature determine on the restoration of cash payments on the 5th July next, the directors of the Bank would naturally feel themselves compelled to postpone the consideration of all other interests to the security of the establishment over which they preside, and would make a farther and very sudden reduction of that portion of their currency which they have immediately within their control.

Much important testimony will be found in the minutes of evidence, with respect to the effect to be apprehended from a very rapid diminution of the present amount of currency upon the trading and agricultural interests of the empire, of which evidence your Committee deem it incumbent on them to extract a portion, sufficient to give the House a just idea of the opinions upon this subject prevailing amongst the persons whom they examined.

Mr. Alexander Baring being requested to state, in what manner an attempt to effect the restoration of cash payments within the period of a year, would operate upon the commerce and internal concerns of the empire? replied, " The resumption of cash payments can only be effected by drawing bullion into the country, by a reduction of the issues of the Bank. I cannot think that the Bank could pay in specie, with any expectation of continuing in that state, until there was a considerable portion of specie already in the circulation of the country. I apprehend, that by no process, even if the effects of any sudden reduction of issues were totally disregarded, could the sum necessary for the purpose, be brought into the country, within the period mentioned. I am farther of opinion, that the operation of reduction necessary for the purpose I have mentioned, must always be accompanied with some restraint and inconvenience to every branch of industry in the country; and that if it were forced, with a rapidity at all approaching to what would be required for the payment in the course of a twelvemonth, the injury would be intolerable; the reduction of paper would produce all those effects which arise from the reduction in the amount of money in any country; an effect which I think is well described in Mr. Hume's 'Essay on Money.' The consequences of a contraction or expansion of the amount of money in a country, seem more felt during the progress of such contraction and expansion, than from any positive amount of money at any one given period. It is not, in my opinion, of great importance, what amount of money may exist in any country; but that the question, of, whether it is on the increase or decrease, is one of great importance to every branch of its industry."

Mr. Haldimand stated, " that he conceived it to be necessary that the Bank of England, in order to be enabled to resume the payment of its notes in specie, should reduce their present amount to the extent of three or four millions forcibly." He explained, " that by the term forcibly, he meant a reduction, not arising from three or four millions less being demanded, but from three or four millions being demanded and refused by the Bank to the public and government. He considered this forced reduction of the issues of the Bank of England to be necessary, in order to restore the rest of the paper in circulation to its ancient value in gold, and the exchanges to par." Being asked, if, " in order to produce the effect which he anticipated from a forcible reduction of the issues of the Bank, it would be necessary that the reduction should be sudden?" he replied, " In my opinion every possible disadvantage and inconvenience to the public would arise from a sudden reduction; I should certainly recommend its being gradual."

Mr. Gladstone, a member of the House, and a merchant principally engaged in trade with the East and West Indies, and occasionally in general trade, gave an opinion, " that the influence which the reduction of the Bank issues produces, is of a secondary nature; that in other times, the alteration of two or three millions in their issues would not have been at all felt; but that in the present state of the trade of the country, after a year of much overtrading, and a great accumulation of foreign goods in the country, and of British goods for British account in Foreign markets, whatever tends to narrow the means of circulation, acts in a much greater degree now, than it would in other times."

After a full consideration of the evidence, and of the several matters to which it is material to advert, in considering the expediency of resuming payments in cash on the 5th July next, the amount of the advances of the Bank to government, the quantity of bullion in their coffers, the probable effect of a rapid and considerable reduction of their issues, in whatever manner or with whatever view such reduction might take place, your Committee are decidedly of opinion, that it is expedient to continue the restriction beyond the 5th July next.

III.—Your Committee have now presented to the House, their view of the two important points, which they proposed (according to the order of reference) to make the first subjects of their investigation,—the state of the Bank of England; and, the expediency of resuming cash payments on the 5th July next. They now proceed to offer their observations, with respect to the period at which it may be advisable to terminate the restriction.

They will, in the first instance, advert to the supply of gold which may be required, in order to meet the probable demands upon the Bank on the resumption of payments in specie.

It is difficult to form any accurate estimate of the amount of gold in circulation previously to the year 1797; and conjectures with respect to that which will hereafter be required, must necessarily be more vague and unsatisfactory.

In the communication made to the Committee by the court of directors of the Bank, on the 25th March, it is observed, "that the amount of specie in circulation before the war was variously estimated, even by the persons best qualified, from their situation, to obtain information. It seems, however, to have been agreed that it was about 30 millions; but whatever the amount, the whole has been exported."

Mr. Harman states in his evidence, "That the amount of gold in the country, previous to the restriction, had been estimated by the late lord Liverpool at 30 millions. Mr. Rose stated it higher; but perhaps if we were to take it at 20 millions, that might be about the amount which was in circulation previous to the restriction act." He adds, "that he thinks he is warranted in saying, that if 20 millions, besides what remained in the Bank, was necessary for the scale of expenditure before the restriction act, it is taking it moderately to contend that as much would be necessary now."

Mr. Alexander Baring observed, "that it is difficult, indeed impossible, to form any accurate estimate; but his impression is, that with a new and perfect coin, such as the sovereign, which in his opinion would exclude the *1l.* and *2l.* notes, whether they are by law excluded or not, the amount of such a gold coin would not be much less than from 40 to 45 millions. He does not mean that the whole amount would be required before cash payments could be resumed; but he thinks that they could not be safely undertaken with much less than half of that amount actually in the country, which its circulation would ultimately absorb; and that the half could not be accumulated, without great pressure upon the country, in less than four or five years from the present time."

The data on which any reasoning with respect to the amount of metallic currency that will be required subsequently to the removal of the restriction, are so imperfect, that your Committee abstain from offering any decisive opinion upon the subject; but they think that Mr. Baring has over-rated that amount. With respect also to the disposition of the public, to require gold coin as currency in preference to notes under five pounds, a conclusion may be drawn, from the testimony of other witnesses, differing from that which Mr. Baring has formed. It has been observed in a former part of the Report, that when the Bank undertook to pay their notes in cash in the year 1817, no preference for coin was shown, until the foreign exchanges caused a demand for the purpose of exportation. Mr. Harman states in his evidence, "That, at that period, he was induced to flatter himself that the doors of the Bank would be opened—that (if he might use the expression) the public would hardly know whether the Bank was open or shut—that it was in a moment of tranquillity—that people seemed indifferent about gold—that instead of coming to the Bank for gold, they brought their gold to the bank; that remained, till the financial operations in France began, and as soon as they were talked of, the tide turned."

Mr. Stuckey, a gentleman very extensively connected with banks in the county of Somerset, gave evidence to the following effect:—"In the latter end of the year 1816 and beginning of 1817, we had a circulation of coin for some months; it cost us at that period nearly one hundred pounds to transmit the surplus quantity of coin to London, of which four-fifths in value, at least, consisted of gold. We could not get rid of it in the country, our customers preferring our notes. In the spring of 1817, I brought with me to town near 1,000 guineas from one of our banks; on taking them to our London banker, he requested, as a favour, I would not leave them there. They had lately sent so many to the Bank of England, that they did not like to trouble them any more; besides, the Bank only took those which were of full weight."

Notwithstanding this evidence, it must be admitted, that no satisfactory conclusion can be drawn from the experience of so short an interval as that which is referred to by Mr. Harman and Mr. Stuckey. Great uncertainty must prevail with respect to the amount of gold which may be required for the purposes of internal circulation; and the Bank must be prepared, not only for the possibility of a much larger demand for those purposes than will probably be made, but for the consequences of a drain upon their treasure induced either by such a temporary depression of the exchanges as shall afford a profit on the exportation of the precious metals, or by a disposition to hoard them, arising from sudden panic and temporary want of confidence in paper currency. It must be considered also, that the stock of gold now in this country is very limited. The long continuance of the restriction has caused the exportation of nearly the whole of that which circulated previously, and the natural inducement to transmit the coin from this country, where it was not necessary, to other places where it could be more profitably employed, has been in a very trifling degree, counteracted by the legislative enactments which prohibit such an application of it.

It is possible, in the opinion of your Committee, again to procure any quantity of gold which is likely to be required for the purposes of currency; but a corresponding amount of the capital of the country must be withdrawn from productive employment for the purpose of acquiring and retaining the gold in circulation; and causes are at present in operation, which are likely, by increasing the value of the precious metals, to increase, in a proportionate degree, the difficulty of obtaining, within a limited period, an adequate supply for the use of this country.

It appears that the governments of other countries in Europe are now occupied in substituting a metallic, for a large portion of the paper currency, which the necessities of war compelled them to establish; and that the supply of gold and silver imported into Europe of late years, has been diminished in consequence of the disturbed state of the Spanish colonies.

These efforts on the part of other countries to restore to par with the precious metals the value of their respective currencies, would, by making the exchanges more unfavourable to this country, aggravate the evil of a long continued restriction, but they will certainly, by increasing the value of the precious metals, render increased exertion on our part necessary for procuring a sufficient supply.

The ability of the Bank however to resume and continue cash payments, depends less upon the actual amount of treasure it may be possible to accumulate, than upon the state of the foreign exchanges previously and subsequently to their resumption, and to the degree of certainty there may be, that the market price of gold can be reduced to, and made to conform with, the mint price.

Unless such a reduction can be effected, and such a conformity established, it will be vain for the Bank to expend their capital in the purchase of bullion. No accumulation of treasure to whatever extent it may be carried, can render the Bank competent to satisfy the demands, which will inevitably be made for gold, if the Bank are under an obligation to issue it at the rate of 3*l.* 17*s.* 10½*d.* per ounce, and if the parties having a right to demand it, can continue to realize a profit of five or six per cent upon its exportation.

The documents in the appendix afford ample information, with respect to the state of the foreign exchanges, and the price of gold measured in bank notes, for several years past; and the various opinions of those who were deemed by your Committee most competent to form a judgment with respect to the causes which have of late influenced the exchanges, and the price of gold, will be ascertained by a reference to the evidence.

Your Committee have already observed, that for a considerable part of the years 1816 and 1817, the foreign exchanges were in favour of this country, and that since the month of July of the latter year they have been below par. Some of the witnesses ascribed the unfavourable change, to the effect of the loans which had been made about that period by foreign powers, to the remittance of British capital for the purpose of being invested in foreign securities and foreign commercial enterprise, and to the effect of a very large importation of corn in the course of the last year; and some of those witnesses are of opinion, that no measures could have been taken by the Bank to control the effect of such extensive remittances.

Other witnesses admitting that the causes which have been adverted to had a tendency to depress the exchanges, conceive that a contraction of the issues of the Bank, sufficient to counterbalance the operation of these causes, might, and infallibly would, have taken place, had there been an obligation on the Bank to pay its notes in specie on demand.

However the exchanges may have been thus affected, in the course of the last and the preceding year, your Committee see no reason to apprehend that the causes abovementioned, or any similar causes, can continue to affect them in such a degree as to preclude the Bank of England, by a constant reference to the exchanges and the price of gold, and when necessary, by a cautious reduction of their paper currency, from gradually approximating its value to that of gold, and ultimately re-establishing and maintaining it at par.

Your Committee have had submitted to them a calculation of the amount of British capital now invested in foreign securities, and of the remittances which may probably be required for farther payments on account of foreign loans. The calculation is founded on the estimates of three commercial houses, extensively engaged in foreign loans, which estimates are stated to vary to an inconsiderable extent; and it is computed that the amount of British capital in foreign public securities, is about ten millions five hundred thousand pounds; seven millions of which are supposed to be in French stock. This estimate was furnished to the Committee by Mr. Haldimand, who thinks there is a possibility of error, to the extent of one or two millions. He is of opinion, that little or nothing more will be sent from this country on account of foreign loans, now in course of payment.

Mr. Holland, a partner in the house of Messrs. Baring, does not consider the whole amount of British capital invested in foreign, including American, funds, to be ten millions; he speaks of capital permanently invested, and does not take into the account that which may have been employed in speculation in foreign funds, a great part of which, he observed, had been drawn back with profit to this country. He does not think that more than three millions of British property are permanently invested in French stock; and is of opinion, that if it advances in price, a considerable portion of that will be withdrawn; and that there is no probability that any considerable sum will be remitted from this country, in consequence of loans now contracted for abroad.

Your Committee are of opinion, that the future effect upon the exchanges of remittances on account of foreign loans, will be very limited; that preparations for the resumption of cash payments will tend to diminish that effect; and that, subsequently to their resumption it will be subject to a constantly operating control. In corroboration of this opinion, the Committee refer to the manner in which the exchanges of France and Holland (countries having a metallic currency) have been affected by similar remittances.

The Dutch capitalists have embarked to a very considerable extent in the foreign loans that have recently been made, and are supposed to have taken nearly three-fourths of those made by Russia; but no sensible effect has been produced upon the exchanges or currency of Holland. France, notwithstanding the great extent of contributions to foreign powers, which have been defrayed by that country, has maintained an ample metallic currency. It appears in the evidence of Mr. Holland and Mr. Irving, that the price of gold has remained nearly stationary at Paris for the last four years; that in 1807, when there was in this country a variation in its price to the extent of 7 per cent, there was none in Paris; and that between the 5th October and the 22nd December last, whilst the variation in the exchanges between Paris and this country amounted to 4 per cent, the greatest variation between Paris and any country, which had a metallic currency, did not exceed one half per cent.

Mr. Rothschild being examined, as to the effect of the contributions which France has paid to foreign countries, upon her exchanges, replied, "Perhaps from one to one and a half per cent."

When your Committee consider the extent and value of the exportable produce of this country, they can have no doubt of its ability to command such a portion of the precious metals as may be necessary for the purposes of internal currency, and to maintain them in circulation by the same means by which they are maintained in other countries, where, from an imperfect state of credit and confidence, and the absence of banking establishments, a much larger metallic currency is necessary than this country will require, in proportion to its foreign trade and internal commercial dealings.

Difficulties must be encountered during the preparations for the resumption of payments in specie; but those difficulties are, in the estimation of your Committee, outweighed by the important and permanent benefit of restoring the standard, by which, previously to the year 1797, the value of commodities was measured, and which, though variable in a certain degree, is much less exposed to fluctuation than any other that can be devised.

Your Committee abstain from entering more at large into this important topic, from a consideration that the legislature has on various occasions, expressly pronounced its opinion, on the policy of re-establishing the metallic standard of value; and that the duty which it has devolved on your Committee, is no other than that of considering, at what period, and by what means, that great object can be best effected. They see nothing in the circumstances of this country, or of Europe, which can render it expedient to postpone preparations for the resumption of cash payments, and by thus deferring, most probably to aggravate, the difficulties which may be inseparable from that measure. If, however, the Committee can suggest to the House any plan, by which in their opinion the pressure of such difficulties may be greatly relieved, and at the same time the most important of the advantages which would accompany a return to cash payments can be realized, they trust they shall not be considered to exceed the powers committed to them, by the suggestion of such a plan, though it may involve a temporary departure from the laws which regulated our currency previously to the restriction.

A plan of this nature has been under the consideration of your Committee; and before they explain its details, or assign the grounds on which they are disposed to recommend the several measures which form a part of it, they will present its general outline to the House.

They propose,—That, after the 1st May 1821, the Bank shall be liable to deliver a quantity of gold, not less than 60 ounces, of standard fineness, to be first assayed and stamped at his majesty's mint, at the established mint price of 3*l.* 17*s.* 10½*d.* per oz. in exchange for such an amount of notes presented to them as shall represent, at that rate, the value of the gold demanded:

That this liability of the Bank to deliver gold in exchange for their notes, shall continue for not less than two nor more than three years, from the 1st May 1821; and that at the end of that period, cash payments shall be resumed:

That on a day, to be fixed by parliament, not later than the 1st February 1820, the Bank shall be required to deliver gold, of standard fineness, assayed and stamped as before-mentioned, in exchange for their notes (an amount of not less than 60 ounces of gold being demanded) at 4*l.* 1*s.* per ounce, that being nearly the market price of standard gold in bars on an average of the last three months.

That on or before the 1st October 1820, the Bank shall pay their notes in gold of standard fineness, at the rate of *3l.* 19*s.* 6*d.*; and on or before the 1st May 1821, as before-mentioned, at the ancient standard rate of *3l.* 17*s.* 10½*d.*

Your Committee proceed to state the reasons which induce them to recommend the adoption of these suggestions.

By requiring the Bank to pay, after the 1st May 1821, a given quantity of notes in standard gold, at the mint price, a security against fluctuation in the value of the paper currency will be provided, of the same nature with that which payments in specie afforded previously to the Restriction act. If the issues of the Bank shall at any time exceed the amount to which they must be limited, in order to maintain their value on a par with gold, the Bank will be subjected to an immediate demand for gold, and will naturally have recourse, as before the restriction, to the contraction of the issues of their paper.

The chief recommendation of this plan, in the opinion of the Committee, is, that it will enable the Bank to pay their notes in gold at a much earlier period than they could pay them in the present gold currency. There cannot, while this plan is acted on, be any demand for gold for the purposes of internal circulation; and whatever quantity it would be necessary to provide, with the view of replacing the small notes at present in circulation, may therefore be dispensed with. That portion of capital, which must otherwise be applied to the purchase of an expensive and unproductive instrument of commerce, will be left available for the employment of productive labour; or at any rate, time will be afforded, during the operation of the plan, for the gradual abstraction of that capital, and for the accumulation of such a stock of the precious metals, as may enable the Bank with perfect safety to supply a metallic currency. Although in the event of general panic, and a want of confidence in the stability of paper credit, the Bank would be exposed to the same demand to which they would be liable were cash payments resumed, yet it is probable that the drain, caused by sudden and local alarms, would be greatly diminished, if not altogether prevented.

In speaking of this plan, Mr. Baring observes, "under such a system, the whole amount of bullion that would be required, must be that amount which the Bank would be under the necessity of keeping for the purpose of balancing the variations that may from time to time occur in the amount of currency, which at different periods the state of the country may require, and farther, any amount which the public may be disposed to hoard. I should not think that the amount so required by the Bank could much exceed five or six millions, because I should not think that the contraction and expansion of currency at different periods could go much beyond that amount. Hoarding would go certainly to a less extent than under a system of coin, because there could be no small hoards, and persons would be less disposed to hoard larger sums when they had not the means of issuing them as currency, if they should be disposed to do so, otherwise than by selling or carrying them to the Bank. Under these circumstances, I should incline to think, that ten millions of bullion would be abundant for every purpose; but it is difficult to speak with accuracy of an untried plan."

With respect to the preservation of the standard of value, Mr. Baring states, "That he is quite confident that the standard of the country, and of course the par value of the paper, would be preserved in much greater purity than under any system of coin."

Mr. Holland, delivered a paper to the Committee in reference, to the plan of bullion payments; in which he thus expresses his opinion: "I can venture to assert, as a practical man of business, that there will be little if any difficulty in carrying it into effect; that it will not unnecessarily cramp circulation; that it will not impede the ordinary measures, either of government or the mercantile community, but that, on the contrary, it will restore order and harmony to the system, and give to the country what all parties who wish its welfare, desire—a safe and efficient standard of value; variable, it is true, in a certain degree, but less variable than any standard which any country has ever yet established."

Your Committee will now give their reasons for recommending the arrangement, which they have suggested, for regulating the mode in which gold shall be issued in exchange for bank-notes, between February 1st 1820, and May 1st 1821.

The Committee consider it necessary to fix a definitive period at which the Bank shall be under the obligation of issuing gold at the mint price; and a standard be thus established to which the value of the paper currency shall conform, and by which its issues shall be regulated. Parliament has, on more than one occasion since the peace, fixed a period for the return to payments in specie; and when it has consented to a farther suspension of them, has expressed an opinion, that their resumption was highly desirable; and has assigned, as the reason for continuing the restriction, the expediency of enabling the Bank to make such preparations, as to their discretion and experience might appear most expedient, for enabling them to resume payments in cash, without public inconvenience.

Your Committee therefore are desirous, in recommending the farther postponement of those payments, to devise some additional security, that preparations shall be made for their resumption; to prevent an impression on the public mind, that farther suspensions will take place; and to induce a gradual accommodation of commercial transactions to a system of currency, which, having been long discontinued, could not be suddenly resumed, without restraint and embarrassment.

They conceive, that such security will be best provided, by requiring the Bank to revert, at an early period, to that principle on which, previously to the Restriction act, their issues were regulated,—a reference to the price of gold. They propose therefore, that time having been allowed for the repayment of a portion of the advances to government, the Bank shall undertake, at a given period, to deliver gold in exchange for their notes, in the manner already described.

Between the present time and the commencement of the year 1820, your Committee cannot anticipate an operation of any of those causes, which affect the value of the precious metals, so extensive as to prevent the Bank from counteracting the effect of them, by such a reduction of their issues, as may be made without producing public inconvenience.

If the price of gold shall remain the same as it is at present, the demand from the Bank, which will have to deliver it at that price, will necessarily be very limited. If, in the interval any causes shall affect it, and produce a rise in its price, the Bank must in that case contract its paper, either positively, as compared with its present amount, or relatively, to any increased demand which there may be for it; and thus, by increasing its value as currency, proportionately diminish the inducement to demand gold.

It may be objected, that the adoption of this suggestion appears to recognize a departure from the ancient standard of value; but it recognizes it no otherwise than as it at present practically exists; it recognizes it for a very limited period, and with no other view, than to provide for the gradual return to that standard, the deviation from which it acknowledges.

The Committee trust, that they have sufficiently explained the grounds on which they recommend, that, with a view to the establishment of a metallic standard of value at the earliest period, the Bank should be required to deliver standard gold in exchange for their notes.

They do not express any preference for the system of bullion payments over that of payments in specie abstractedly; nor are they prepared to recommend them as a permanent substitute; but they consider them the best means of facilitating and ensuring the resumption of payments in specie with the least public inconvenience. They are of opinion, that, when once the ancient standard of value in this country has been re-established, the great impediments to a return to our former system will have been overcome; and it will be in the power of the Bank, or of individuals, by taking advantage of a favourable state of exchange, to increase the supply of the precious metals in this country, to any extent to which they are likely to be required.

Your Committee are aware that it may be objected to the plan of bullion payments, which they have recommended, First, That by necessarily continuing the notes below five pounds in circulation, it continues the present inducements to the crime of forgery; and, secondly, That by requiring the presentation of a large amount of notes in demand for gold, it gives to the possessor of notes to that amount, an accommodation which the holder of a smaller quantity will not possess.

On the first of these objections, your Committee observe, that it is scarcely possible to calculate on a resumption of specie payments, accompanied with the total exclusion of the small notes, at a period much, if at all earlier than that at which it may take place, if the recommendation of the Committee be adopted. When the legislature has, at former periods, contemplated the removal of the restriction, the necessity of continuing the circulation of the small notes for some time subsequently, has been foreseen, and is at present provided for by law. It is true, that after the resumption of cash payments, the amount of small bank-notes in circulation would probably be diminished; but there seems no reason for concluding that the temptation to forgery, which must depend on considerations of risk and profit, would be diminished in proportion to the decrease of those notes, provided they were not altogether excluded. The force of this objection will also be lessened proportionately to the degree of success which may attend the attempts, that are at present making, to devise means of rendering the imitation of bank-notes more difficult. Your Committee have been informed, that the plan recommended by the commissioners appointed for inquiring into the mode of preventing the forgery of bank-notes, may be expected to be in full operation in about three months; and they have received, from two scientific members of that commission (sir Joseph Banks and Dr. Wollaston) the satisfactory assurance, that their confidence in the increased security which the new form of note will afford, as well by creating fresh obstacles to a successful imitation, as by giving a more obvious facility to the public in detecting any attempt to give currency to forged notes, has been confirmed, by the progress of their inquiry and experiments since the date of their report communicated to parliament.

With respect to the second objection to bullion payments, your Committee remark, that the object of the plan which they recommend is, by securing a control over the quantity of the circulating medium, to regulate the value of the whole, and to maintain paper on a par with gold. While this object is effected, the holder of notes, to whatever amount, has a security for their value, which, without this plan, he would not possess during the interval which must precede the resumption of cash payments.

Should the House determine to act upon the recommendation of the Committee, it will be expedient to continue the act which passed in the present session, restricting the farther issue of gold coin from the Bank. They propose no interference with the laws which regulate the mint, conceiving it desirable to retain, as a check upon any undue contraction of the issues of the Bank, the power which individuals at present possess of receiving coin from the mint in exchange for bullion, without loss or deduction, at the rate of 3*l.* 17*s.* 10½*d.* per ounce.

They recommend, not as an appendage to the plan which they have suggested, but as a politic measure under any system of currency, the total repeal of the laws which prohibit the melting or exportation of the coin of the realm. Your Committee conceive it to have been clearly demonstrated, by long experience, that they are wholly ineffectual for the object for which they were designed; that they offer temptations to perjury and fraud, and give those who violate the law, an unfair advantage over those who respect it.

Your Committee have received an intimation from the directors of the Bank of Ireland, that they shall be prepared to resume cash payments six months after their resumption by the Bank of England. In making this communication, the directors contemplated a return to payments in specie; but the Committee have the satisfaction of stating to the House, on the authority of the governor of the Bank of Ireland, whom they have had an opportunity of personally examining, that there is reason to believe, that no difficulty would exist, on the part of the Bank of Ireland, in carrying into effect, any regulations of the same nature with those which may be adopted with respect to the Bank of England.

Your Committee would here close their Report, if they did not think it necessary, shortly to advert to the circulation of country banks. The notes of all those establishments are exchangeable for the notes of the Bank of England. As a part of the currency, therefore, they must be affected by any fluctuation in value to which bank of England notes are now liable; and, consequently, will be alike secured from such fluctuation, by any arrangement which will effectually place and maintain the latter upon a par with a metallic standard of value. Although, from this view of the subject, your Committee are led to the conclusion, that there can be nothing in the nature of the circulation of country banks, which can form an obstacle to the gradual resumption of cash payments upon the plan which your Committee have suggested, they have made it their endeavour to ascertain the probable amount of that circulation, at different periods; though they have to regret that they have not been able to obtain as precise and full information as might be desired.

There are not sufficient data from which to ascertain the exact amount of country banknotes at any one time in circulation. Your Committee called for accounts from the stamp-office, of the number of promissory notes stamped in each successive quarter, from the year 1810; and as these accounts show the number of notes stamped in each of the classes into which they are divided, according to their several denominations, if the nominal value of each is assumed, for the sake of calculation, to be the highest which such note could bear according to the stamp affixed, the total amount stamped in each year would be as follows:

| | |
|---|---|
| 1814 .......... | £. 10,255,841 |
| 1815 .......... | 8,204,968 |
| 1816 .......... | 7,839,924 |
| 1817 .......... | 9,075,958 |
| 1818 .......... | 12,316,988 |

If these notes on an average circulate for three years, the highest aggregate amount to which they can have reached is 29,232,870*l.*

Your Committee are led to conclude, from the information of Mr. Lloyd, that the whole amount of notes stamped, which still remain in such a state as to be circulated, can never have been at once in circulation. He says, "a banker may have 50,000 notes lying by him; his having paid the duty, and having the notes ready, by no means proves that they are in circulation. Sometimes there may be a very large amount locked up by him, at other times they may be almost all in circulation. In time of alarm, he takes care to have them as much at home as possible; in time of prosperity and general confidence, he has no hesitation in issuing them on satisfactory security.

Mr. Lloyd expressed an opinion, that the issue of paper by the country banks might be from 40 to 50 millions; but your Committee are rather led to infer, from the general tenor of the information before them, that the amount of this branch of the paper circulation, throughout Great Britain, has never exceeded from 20 to 25 millions.

Whatever may have been the amount, it appears undoubtedly to have been liable to great fluctuations, as may indeed be inferred from the account of the stamps before alluded to, but with more certainty from accounts furnished by the three chartered banks of Scotland, representing the proportions which the quarterly averages bear to each other, of the respective circulation of each bank, at three corresponding periods; the scales by which the circulation of these banks is thus shown, establish the degree of the proportionate variations in each respectively; but it is to be observed, that those scales, being constructed upon different data, afford no means of comparing with one another the actual amount of their respective issues.

| | Last Quarter, 1813. | Third Quarter, 1816. | Last Quarter, 1818. |
|---|---|---|---|
| British Linen Company | 1,400 | 910 | 1,265 |
| Bank of Scotland .. | 8,773 | 6,728 | 8,179 |
| Royal Bank .. .. | 732 | 267 | 1,131 |

As a very large part of the currency of Scotland is furnished by those banks, it must be inferred from the preceding scales, that whatever was the amount at the close of 1813, not less than one-third had been withdrawn from circulation in 1816, since which period an equal amount has been re-issued.

A fluctuation, corresponding with this in point of time, and at least, equal in degree, appears to have taken place in the paper issued by the country banks in England. The number of these establishments licensed in 1814 - - - was 940,
in 1817 - - - was 752.

Mr. Lloyd stated, that the circulation of the country banks was at its highest in 1813 and 1814, but was considerably reduced in 1816, and the beginning of 1817; and being asked, as to the amount outstanding at the latter period, when compared with the former, he answered, "I can hardly say; I should think it was reduced nearly one-half."

Your Committee were furnished, by Mr. Stuckey, with the following scale of the circulation of a considerable country bank, for the last four years:

| | | |
|---|---|---|
| March | 1816 | 10 |
| — | 1817 | 12 |
| — | 1818 | 16 |
| — | 1819 | 17½ |

and farther information on the same subject will be found in the evidence of Mr. John Smith, a member of the House, Mr. Samuel Gurney, and Mr. Gilchrist.

Whatever may have been the diminution in the amount of the circulation of country banks in 1816 and 1817, it was not in any degree caused by a diminution of the issues of the Bank of England. The circulation of country paper is liable to be affected by want of confidence, generally brought on by extensive failures in some of those establishments, and the result of which is, that other country banks, however solvent, participate more or less in the general discredit, and are obliged to restrict their issues, from a regard to their own security. In the opinion of Mr. Tooke, "A like effect is sometimes produced, and in a much greater degree, from the discredit of their customers, to whom they are in the habit of advancing money; most of their customers being holders of articles which are liable to be affected by a general depression of price."

Although there may be reason to infer from the opinion of the witnesses most conversant with the management of country banks, and to whose evidence your Committee beg leave to refer, that a reduction in the amount of the notes issued by the Bank of England would speedily and necessarily be followed by a proportionate reduction of the country bank paper; still it must be obvious, that, independently of that cause, the latter is liable to a sudden and highly inconvenient contraction, under such circumstances of distrust and difficulty as occurred in 1816. The effects of this contraction, unless obviated by a corresponding increase in the issues of the Bank of England, the credit of which is fortunately unassailable by the influence of similar circumstances, must have a tendency, by diminishing the amount of the paper currency, to raise the value of the whole.

This, in the opinion of your Committee, was one of the effects produced by the rapid contraction of our currency in 1816 and 1817; and to it may be ascribed, in part, the fall in the price of gold and the favourable state of the foreign exchanges, during that interval.

Such contraction is an evil, to which the system of country banks, resting upon individual credit, may be occasionally liable; but your Committee are inclined to hope, that it will not be likely either to prevail to the same extent, or to endure for so long a period, when the fluctuations, to which an inconvertible paper currency is exposed, shall be checked, by the operation of the plan which they recommend for the gradual resumption of cash payments.

Whether it may be practicable further to provide against inconvenience to the public and the loss to individuals, which arise from the occasional insolvency of country banks, and to make such provision, without an interference with the rights of property, and the transactions of the community founded on commercial credit, are questions of great difficulty; respecting which your Committee could not, without further evidence and considerable delay, have enabled themselves to submit an opinion to the House.

Your Committee have forborne from entering into any reasoning upon the effect produced upon the value of our currency, by variations in the numerical amount of the notes issued by the Bank of England. So many circumstances contribute to affect that value; such, for instance, as the varying state of commercial credit and confidence—the fluctuations in the amount of country bank paper—the different degrees of rapidity with which the same amount of currency circulates at different periods,—that your Committee are of opinion, that no satisfactory conclusions can be drawn from a mere reference to the numerical amount of the issues of the Bank of England, outstanding at any given time.

6th May 1819.

The Report was ordered to lie on the table and to be printed.

MOTION FOR REFERRING THE PETITIONS FROM THE ROYAL BURGHS OF SCOTLAND TO A SELECT COMMITTEE.] Lord *Archibald Hamilton*, in rising to bring forward his motion on the subject of the Royal Burghs of Scotland, said, that after the number of petitions which had been presented to the House praying for a reform in the constitution and government of the royal burghs of Scotland, he trusted he need not offer any apology to the House for occupying their attention for a short time on a motion which was intended as a remedy to the oppressive grievances complained of. He fully concurred with the petitioners on this subject; and he hoped he should lay such a case before the House as would induce them to grant a committee for the consideration of the prayer of the petitioners. When he brought this question, or at least one intimately connected with it, the abuses of the burgh of Aberdeen, before the House last month,* he stated as distinctly as he could, in order to guard against misrepresentation, both what his motion was, and what it was not. Even with that precaution, he had not escaped from the unfair and unfounded insinuations of the gentlemen opposite. They charged him with using the subject merely as a cloak for parliamentary reform; a charge totally without ground or even plausible pretext; his object merely being a reform in the internal management of the affairs of the burghs, radical and comprehensive indeed, but not more than commensurate with the occasion. He now again denied having any such intention as that which had been ascribed to him. He denied it, both on his own part and on that of the petitioners and if any hon. member remained still doubtful, a perusal of the petitions on the table must remove all suspicions from his mind. The grievances complained of were not new; neither were they partial or transient. Twenty-five years ago similar complaints had been made by the burgesses of Scotland; and a report had been laid on the table of the House by a committee appointed to inquire into the subject. Indeed he regretted that that report had not been reprinted in time to be put into the hands of members before the present discussion, as it would have shown them what were the opinions entertained not only by the petitioners of that time but also by a committee of this House at the period to which he alluded of the burgh government of Scotland.

But before he entered upon his motion, he wished to state plainly and frankly to the House how far a reform of the Scots burghs was connected, indirectly with parliamentary reform. He said indirectly, because it had no direct connexion with it whatever. A principal subject of complaint on the part of the burgesses and the ground and foundation of all other complaints, was, that the magistrates were self elected: and that they (the burgesses) had no control, either over the elections, or over the acts of the magistrates. [Here the lord advocate and lord Castlereagh were observed in close conversation on the treasury bench.] He claimed the attention of the noble lord and the learned lord for a few moments, not so much for himself, as in behalf of the petitioners, although he was not so anxious for their attention as for their conversion; but if he could not expect their careful consideration of what he said, he trusted he should experience the common courtesy usually shown to a member of that House on such an occasion, that of not being interrupted. He repeated that the charge against the petitioners and against himself of aiming at a reform in parliament, under the disguise and cloak of a different purpose was unfounded. Between a reform in parliament and the present object there existed no necessary or direct connexion. The remote and indirect connexion was simply this:—at present the magistrates returned the member to parliament without any interference or participation of the burgesses —the burgesses wished to have the same power as to the election of their magistrates, which the magistrates now had in the election of the parliamentary representative. And if this were granted, the magistrates would still retain the same power they now enjoyed—and the only difference would be, that the magistrates, being thus themselves appointed and maintained by public opinion instead of being self-elected and self-maintained in defiance of it, would probably elect such members as were approved by the burgh at large. In that way, and in that way alone, was a reform of the burghs connected with parliamentary reform; and having thus as he trusted disposed of that part of the subject, he would, with the leave of the House, proceed with the question more immediately before them.

The existing burgh system of Scotland was so oppressive to the inhabitants, so abhorrent from every principle of justice, and so very different from the government of any other part of the united empire, and indeed he might say of any other part of the civilized world, that he found it difficult to conceive how the House could refuse a committee to enquire into that system and the mischiefs, the actual mischiefs, as well as discontent, which it so universally produced. He would presently read to the House some extracts from the report of the committee appointed on this subject twenty-five years ago; by which it would be seen, that the committee allowed the complaints of the burghers to be well founded; and yet, not a single step towards redress had been taken in consequence of that report.—He must now say a word or two on the observations which had fallen from the learned lord opposite, on the petitions which had been presented to the House on the subject. When petitions were first presented against the burgh system, the learned lord objected that they were not numerous, and therefore could not be considered of any weight; when they poured in from all parts of Scotland, the learned lord was obliged to allow, that they were numerous, that they were general, but then, he contended, that they were not respectably signed. It was true, that on this latter point, the learned lord was obliged to shift his ground; for when taxed with having urged it, he gave a different interpretation to the words which he had used, or at least, a different interpretation to that in which his words had been understood, both in the House, and out of it. The evils complained of had not been denied; the system had not been defended. Several objections to any remedy had been stated by the learned lord; but neither he nor any other hon. member had attempted to defend the existing system. But he lamented to find, that the evil which the learned lord and his colleagues were unable to defend, they were not unwilling to uphold and perpetuate. He appealed to all those who heard him, if, in the cases brought under the notice of the House, particularly in that comprehended in the petition from Aberdeen, a scene of fraud and oppression was not disclosed which called loudly for investigation? What was the existing system? It was self-created power, acting under self-granted immunity, sanctioned by law. The magistrates first appointed and continued themselves in office, and then had this unbounded control of the funds of the different burghs; they were empowered to contract debts to any amount they pleased, and though the burgesses were not entitled to inquire into their accounts or to check their expenditure, they were responsible to the full extent for the debts thus contracted. Such at least, was the prevailing opinion. This had been fully shown in the case of Aberdeen. There the burgesses had no means even of detecting the frauds committed by the magistrates; and if they had the means of detection, they were unable by the present practice, fortified by decisions at law, to obtain any redress. When he used the word fraud, he did not mean to apply it in the ordinary sense of peculation, or as generally applicable to the magistrates. He meant (as he had stated distinctly, when he brought the case of Aberdeen under the notice of the House) fraudulent modes of incurring debt by false and fraudulent entries in the records of council. Money had been borrowed under the signature of members of council, who had not been present, nor sanctioned such borrowing. Was not this single case sufficient ground for granting a committee? The case of Aberdeen, had become, indeed, notorious; but the petitioners said the system was the same in the other burghs. If that statement were untrue, a committee of that House could easily detect its falsehood. If it were true, a committee could so report it, and thus give the House the opportunity of applying a proper remedy. In either case, the appointment of a committee would be beneficial. But there exists better authority than his, or the learned lords, both for the extent of the evil, and the absence of all remedy. The authority he alluded to, was the testimony of the magistrates of Aberdeen themselves, who had stated and recorded "their decided opinion, that the present mode of election of the town council and management of the town's affairs, are radically defective."—"of a radical change in our system of burgh government."—"Without this, no man, or set of men, can conduct the affairs of the corporation with credit to themselves, or advantage to the community." Could any thing be more decisive and convincing than such testimony from such a quarter? And this leads to the mention of another important truth, that the petitioners had no other means of redress than by an application to that House. Whatever might be their opinions, whatever might be their conviction of the unjust, iniquitous, and oppressive conduct of the magistrates, still there was no remedy, there was no appeal on the part of the burgesses, to any court of law, so long as the town council remained unanimous. This had been decided over and over again. He should be glad to hear the learned lord prove the contrary; but he would repeat, that it had been so decided over and over again; and that an act of George 2nd supported the decision. In Perth, for instance, one of the counsel had been illegally elected. He was, in fact, not qualified to hold his office; application was made by the burgesses to council on the subject; they were told the appointment was certainly illegal, but that there was no redress, the council being unanimous in support of the person who had been elected, and no other person but the council being entitled to question it. If the learned lord, however, still entertained any doubt on that subject, he had better agree to the appointment of a committee, and the question could be easily ascertained. In a petition, addressed last year to that House, the burgesses of Irvine complained, that they had no more influence in the election of their own magistrates, than in the electing an emperor of Morocco.

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* See vol. 39, p. 1275.

He begged to call the attention of the House to another abuse which demanded revision. The acts of parliament in favour of the burgesses were allowed to fall into desuetude; while those which favoured the magistrates were continued in force. There were acts requiring the magistrates to be residents in the burghs, and acts for preventing the sale of seats in the town council. But while these acts, or such parts of them as were thus beneficial to the burgesses, had been held in courts of law to be in desuetude; other parts of them, which supported the unjust and injurious power of the magistrates, were in full force. In one instance, eight out of fourteen magistrates were not residents in the burgh. It was well known, and offered by some of the petitioners to be proved, that seats in council had, like some other seats, been bought and sold, and it had been proved, that one individual had received a hundred pounds and another fifty pounds for such seat. There were also many instances of individuals vacating their seats, binding their successors to a particular line of political conduct, under the penalty of giving up their places when called upon to do so. The magistrates of some of the burghs, after having expended the whole of the funds of the burgh in an improper manner, had been obliged to apply to parliament for a bill to levy new rates, to pave, light, and cleanse the town; thus laying an additional burthen on the burgesses, to supply their own improvident waste. Was a system like that to be tolerated? Was it to be endured, that the magistrates of a burgh, after having expended the funds of the burgh, without accounting for the manner of expenditure, should be permitted thus to make up the deficiency from the pockets of those whose money they had dissipated? He begged to ask the learned lord, whether he held the very prevalent, and in some degree authorized opinion, that the burgesses were, in law, liable for all the debts contracted by their magistrates; or whether, in case of bankruptcy, as had happened at Aberdeen, the creditors must all lose their money? Civil or political rights the burgesses of Scotland, certainly had none—and if they had no municipal freedom or protection, what right remained to them, unless, indeed, that of suffering patiently this accumulation of injuries and of grievances?—The noble lord then read a passage from the report of the committee of 1793, in which the various hardships, under which the burgesses laboured, were enumerated. Among other things, an illegal exaction of the cess was mentioned. He read from the report a statement of extra or illegal exaction of cess for ten years, no less a sum than 12,336*l.*, and a fraction.

It also stated great abuses in the mode and expense of collecting the cess, besides its illegal imposition. The magistrates claimed and exercised full power over the common lands, against which the burgesses possessed no remedy.

With the body of evidence on the table, in the shape of petitions, borne out as that evidence was by the report of a former committee, the noble lord said, he could not conceive how the House could remain insensible to the situation of the petitioners; or if they were sensible of that situation, how they could refuse to remedy, much less to investigate, the grievances complained of. What he had already stated was grossly oppressive; but it was only an outline of the general abuse which existed, and which was more fully detailed in the numerous petitions on the table. It had been hinted by the learned lord, that any interference on the part of the House would be contrary to the act of union; but that argument, if it proved any thing, proved too much. There existed no foundation for any such argument, either in the letter or in the spirit of the treaty of union; but if that argument were indeed to be held valid and effective, the situation of the burgesses would be not only helpless, but hopeless; the inhabitants of Scotland would be excluded from all redress, however severe and multiplied the grievances under which they laboured now were, or ever might become. Every act of oppression, of fraud, and of iniquity, might be perpetrated and continued with impunity. The people of Scotland must remain under all the evils of the present burgh system, from which they could at present derive no relief from the law of Scotland as it was now construed; and if the act of union were to be considered as a permanent bar to their claims for justice, then their sufferings, however manifest and severe, nay, even if they were admitted to exist by the learned lord himself, must continue for ever unredressed. But he conceived that the act of union had not—that it never could be intended to have—such a preposterous and injurious an effect.—The great question for the House to consider was, whether the petitioners, from their own statements, supported by the opinion of a former committee of this House, laboured under such grievances as required interference of the legislature, and if so, in what way parliament ought to interfere. He would not presume to point out any specific remedy; nor indeed had he yet had sufficient communication with the parties in whose favour such remedy would apply, or sufficiently considered the multiplied bearings of any remedy commensurate with this mischief, to venture, in this stage of the business, upon the task of deciding upon any specific measure, in this way of redress; all he asked was, for a committee to inquire into the subject. As for the learned lord, the only remedy which it seemed was to be expected from him was, the bill which he had introduced last year—had suddenly and mysteriously withdrawn—had again introduced this year—and which, in fact, involved an aggravation rather than a diminution of the existing evil. But what indeed could be hoped for from the learned lord, if he thought that an act regulating the burgh accounts, was all that was wanted, and that the act of union was an insuperable bar to any more effective interference on the part of this House? He (lord A. Hamilton) would once more put it to the House, whether the act of union could be so interpreted—whether, whatever might be the extent of public or private disgrace and calamity of the present system, the act of union was to be deemed an insurmountable obstacle to its abolition or redress? He waited to hear what the learned lord or his friends could say on the subject, having before them the facts of the case from the petitioners, and the confession of the guilty persons—for such he must consider the magistrates of Aberdeen to be—both concurring that the existing system was "radically defective." If the learned lord objected to the appointment of a committee, he hoped he should hear whether it was the learned lord's wish and intention that this odious and oppressive system should continue until there should not be found any person so lost to common feeling, and so regardless of the esteem of their fellow citizens, as to accept the office of a burgh magistrate? The matter had nearly ripened to this maturity of mischief already. At Aberdeen, last election—not the most pure—only six persons out of nineteen elected would submit to accept office—and unless some change be effected, the time might not be distant, when the whole system would either dissolve in its own rottenness, or be upheld in defiance of public opinion, and in opposition to the public welfare, by the power of government alone—an awful era, which the noble lord said it had been my humble effort to avert. In the full persuasion that the claim which so large a body of his majesty's subjects as the petitioners had on the consideration of the House, supported by such a case, could not be resisted, he would conclude with moving, "That the several Petitions presented to this House from the Royal Burghs of Scotland, during the present session of Parliament, be referred to a Select Committee to examine the matter thereof, and to report their observations and opinion thereon to the House."

Mr. *W. Dundas* said, that the noble lord was rather unfortunate in his assertion, that the present motion was not connected with parliamentary reform, when all his observations were directed to prove the propriety of a change in the present system, on which the members from Scotland were returned, to a free and popular election. The object of this motion for inquiry, was nothing less than to strike down the constitution of Scotland as it had existed for 350 years—a system under which it had flourished so fairly, under which of late it had advanced with almost unexampled rapidity in wealth and power. This system had received the sanction of time and the seal of ages. It was at no particular abuse, but at the whole of the chartered rights of Scotland, that the motion was aimed. Some of the petitioners complained, indeed, that they were liable for debts which the magistrates might contract. This was a specific grievance; but to this it was replied, that a bill was in progress to apply a check to the burgh expenditure, by giving the burgesses a power of auditing the accounts. But the petitioners said they would not take this, unless they had more, and showed that the remedy of their financial difficulties was the pretext and not the object. Now as to the proposed change in the constitution of Scotland, had England yet given up her rotten boroughs [Hear, and a laugh]? Had she not always resisted the attempts made to alter her system, confident that if there were anomalies in the case of Old Sarum and other boroughs, the result of the whole was admirable? The petitioners wished to have restored to them the ancient constitution of the burghs, and the golden age before 1469. What the ancient constitution of the burghs was, none of them knew. What the golden age was they all knew. It was a time of anarchy, tumult, confusion and disorder; the nobility and the people at war; the monarch sometimes trampled under foot, sometimes umpire, "but by decision more embroiled the fray." He had no ambition to restore such times, or to give to Edinburgh or Glasgow the benefits of a Westminster election. He felt he was little qualified to bear part in such a scene. Neither were such scenes fitted for the people of Scotland. They were a sedate, religious people, not easily moved, but if once roused, let the House beware of them! The noble lord, when he had raised the storm, would in vain attempt to command it by his voice. When the waves were rolling on the shore, he might in vain draw a line, and say, "thus far shall you come and no farther."

Mr. *Primrose* said, he was anxious to state why he should support the motion, both because the question affected that peculiar part of the community with which, as a representative, he was most closely connected, and because he wished to guard himself against being pledged to maintain in the committee any compulsory measure affecting all the burghs. As it was said, that the present motion was connected with the great question of parliamentary reform, he felt himself bound to declare, that he was not one of those who were so confident in the superior wisdom which the present age possessed, as to hope to see re-modelled the whole system of the constitution. But the more steadfastly he opposed such an attempt, the more earnestly did he feel himself bound to apply himself to the remedy of particular grievances; for it was to the disposition in the authorities of the state, and especially in that House, to remove particular abuses when they were pointed out, while radical or systematical change was avoided, that the constitution had been preserved. As the present motion was resisted, on the ground that it was a step towards parliamentary reform, it was proper to inquire what its effect would be. It would not give the elective franchise to different persons from those who now exercised it; nor would it change the persons from whom the councils would be to be chosen. In this it differed from those proposals for parliamentary reform which had been brought forward in England. The main difference would be the change it would effect in the representation of the burgesses in the councils. At the present time, the persons who were represented in the burgh councils were the inferior classes. In Edinburgh, for instance, which the right hon. gentleman who spoke last represented, the trade burgesses were inferior in rank to the merchant burgesses. Yet the merchant burgesses were not represented at all in the council—the councillors who nominally sat for them being returned on the principle of self-election, while eight councillors were returned at poll elections by the trades. So also at one of the burghs he represented, Dumfirmline, which contained six or seven thousand inhabitants, 10 councillors were annually elected by the trades, while 12 others were self-elected, though they professedly sat for the merchants; and thus the higher orders of the burgh were really shut out from the elections. This was nearly the state of things in all the burghs of Scotland, with the exception of one which he had the honour to represent, Stirling, in which eleven, a majority of the council, were annually elected by a poll of the merchants and trades. This constitution was granted to that burgh in 1780, under the advice of the lord advocate of that day, who was not suspected of hostility to the constitution of Scotland. In that burgh the finances were in a flourishing condition, and the inhabitants, whatever were their speculative opinions as to matters of government, were well satisfied as to the manner in which their own concerns were administered. There was another instance in which the Crown had acted in a similar manner, namely in the case of Montrose, to which a similar constitution (with some exceptions) was granted in 1817. When it was contended that a reform of the constitution of the Scots burghs was precluded by the act of union, must it not be at the time asserted, that the Crown had acted in defiance of that act in the cases of Stirling and Montrose? Now, as to the particular abuses complained of, was it denied in any petition that the funds of many burghs had been squandered away in feasts and foreign purposes? In the burghs which he represented, large landed property had been alienated, and the last twelve acres had been sold three years ago. Was not this a state of things different from that in English boroughs? Could there be found in England corporations who could alienate their lands and make a title for their purchasers? Yet such had been decided to be the state of the law in Scotland [Hear!]. Some check was manifestly required; and what check was so good as to give those for whose benefit the funds were raised, a control over those by whom they were expended? If, in doing this, he gave the burgesses an influence on the conduct of the councillors in the choice of representatives, he should rejoice at it. That influence would be the silent influence of public opinion; and it would be natural that the councillors should endeavour to gain the confidence of their constituents in the election of parliamentary representatives, as well as in other parts of their trust. Yet this influence could not be too powerful or sudden, for the council did not choose the member, but elected delegates, and the delegates elected the representative. As to the bill of the learned lord, which had been spoken of as the means of checking abuse, it was, in his opinion, nugatory. He concluded by giving his hearty support to the motion.

Mr. *W. Douglas* said, he was anxious that the House should go into a committee on many accounts. In the first place much misapprehension prevailed on the subject, which it was most desirable should be cleared up. The petitioners on the subject were numerous, and were entitled to peculiar attention, as coming from Scotland, because its representatives were few, and its laws imperfectly understood by the House at large; and lastly because there was no department of the government particularly responsible for attention to that part of the empire, with the exception perhaps of the lord advocate, who, from his residence in this country and his multifarious avocations, was in some measure disqualified from rendering it. The hon. member then adverted to the case of Montrose, which had held forth hopes to the people of Scotland, and particularly to the address of the sheriff on that occasion, which seemed to warrant an expectation that the government would have proceeded in a manner favourable to popular elections. He observed that in the distress of Scotland in 1816 and 1817—a distress which might recur—the state of the representation had been laid hold of by designing men, and the public had been deluded into the idea, that to it all the distress was to be attributed. It was, even in anticipation of such times, wise, therefore, to take the ground from under these persons.

Mr. *Boswell*, as a native of Scotland, could not refrain from expressing a few sentiments on this subject. The reasons which had been urged in favour of a committee were, in his mind, very extraordinary; but none was more strange and impolitic than that advanced by the last speaker, which was, that an inquiry should be instituted for the pupose of putting an end to misrepresentations, although the same hon. member seemed to admit that nothing effectual could be done to satisfy the wishes of the petitioners. He commented upon the operation of the *leges burgorum*, and the power given by them to the *probi homines* of the burghs to elect their magistrates and representatives. This word had been translated "honest men;" but he feared that this translation would not be wholly applicable; as an "honest man" was not a term for a man of wisdom. Here there was much noise in the House, which prevented us from hearing distinctly the hon. member's observations. We could collect from him, that the situation of the burghs in Scotland before the year 1469 was very peculiar. No man could be a burgess who did not hold a certain portion of land, and if he resigned or lost this land, he at the same time lost his character of a burgess. The mode of election was by poll, and introduced a scene of annual confusion. He looked upon the question not as confined to the local circumstances of the Scotch burghs, but as one of parliamentary reform, affecting the general interests of the empire. The question deeply interested England as well as Scotland, which since the act of union formed but one country, and by that act the form of electing members for parliament could not be altered without violating the articles of union. He should vote against going into the committee.

Mr. *J. P. Grant* agreed as to the great importance of the question. In Scotland almost every principal town was a royal burgh, so that the evil of their mal-administration was most extensive in its influence. When grievances were stated to exist in the local administration, and parliament was applied to in consequence of such grievances, to place them on a different footing, they were told it could not be done, because in the attempt they might happen to touch upon some small part of the existing representation. The petitioners were charged with having in view the object of parliamentary reform, though they did not admit it themselves. He was at a loss to account for this line of argument. There was nothing so disgraceful in the name of parliamentary reform that they should be ashamed to avow it; and the usual way of judging the motives of men was from their conduct and language. No importance, however, was attached, by those who held such an argument, to the declarations of those to whom it referred. He was sure, notwithstanding all that had been said, not only that parliamentary reform was not the object of the petitioners, but that a very small portion of them advocated in their minds the question which generally went by the name of parliamentary reform. For his own part, though he was by no means ashamed of the appellation, he should approach any proposition that contemplated a great change of system with considerable apprehension. But with such matter they had now nothing to do. The simple proposition before them was, to do what they had done in 1793, when they appointed a committee of inquiry. But what, he would ask, was the degree of popular infusion so much dreaded by those who resisted the reform of the burghs? To take Edinburgh as an example, there were only 1,300 burgesses in that place, and those consisting of respectable persons, yet the admission of such a number and such a description of persons to the right of voting for their own magistrates, was described as the introduction of a sort of Westminster election.—The hon. gentleman next proceeded to ridicule the opinion that a reform of the burghs was contrary to the articles of union, observing, that it was scrrcely possible to conceive that two great countries agreeing to unite, should, in the very act of their union, preclude themselves by mutual engagements from the possibility of improving their condition. The proofs of mal-administration were abundant. The town of Aberdeen was reduced to such a state, as to be under the necessity of making over their property to trustees for the benefit of their creditors, not reserving to themselves even the gaol for their own prisoners. The blame was thrown upon the system, and a change was applied for. He then read the report of the committee of 1793, dwelling principally on the opinion, that the private property of the burgesses was answerable for the debts of the burgh. That principle, he said, was maintained by several of the most eminent lawyers, and was in itself a sufficient reason to account for their application to that House, without attributing to them any speculation upon parliamentary reform. For all these reasons, he thought that a case was made out sufficient to induce the House to appoint a committee.

Lord *Binning* said, the question was, whether they would refer the whole of those petitions to a committee, referring, at the same time, the general inquiry, how far it was desirable that the principle of parliamentary reform should be applied to the Scots burghs? It was true that the petitioners did not avow the principle; but there were reasons why they should not avow it, and he was satisfied that a great number of the persons who were most active in procuring the petitions were advocates for parliamentary reform. He had no doubt but that grievances had occurred under the existing system, but not to the extent alleged. The lord advocate had introduced a bill for the purpose of correcting the evils, and the bill so introduced rendered any other proceeding unnecessary. The constitution of the Scots burghs had existed for 350 years. It might be said, that the antiquity of an objectionable system could furnish no ground for maintaining it; but he should object to the principle of electing magistrates by poll. His chief motive in opposing the question was, he would admit, because he thought it was connected with parliamentary reform, and he called upon all those who were unfriendly to that measure to vote on the same side.

Mr. *Wynn*, adverting to the observation of an hon. member, that an agreement to any change in the burgh system of Scotland would be a violation of the articles of union, strongly argued against the validity of such a proposition. If such changes were violations of the union, a heavy charge could be brought both against this and the last parliament; for it could be proved that they had violated the union in the case of Penryn, in the case of Barnstaple, in the case of Shoreham, and other places, where the elective franchise had been extended to the neighbouring hundred. The support of the union should be reciprocal between the two countries, and it was as much violated by these late changes in England, as it would be by changes in Scotland, unless it was maintained that abuses should be perpetuated in the one country which might be corrected in the other. It was impossible for one parliament to bind its successor; if this could take place, the union would have been the greatest misfortune. The constitution of this country was only a system of progressive reform. As for what was called parliamentary reform, he had always objected to it, because it began by pulling down, without having any thing to substitute, and because parliament had the power to remedy any abuses that could be proved to exist. The great evil complained of was, the misapplication of the revenues of the burghs, and what the burgesses required was a power to check the misapplication, and in many instances gross profusion, that prevailed. He had not heard any contradiction to the statements of the petitions; and he believed he might say with confidence, that at no time had such statements ever been made without securing parliamentary interference. It was equally necessary that inquiry should take place, whether the evils complained of originated in ignorance or fraud.

Mr. *Forbes* said, he would have given a silent vote on the present question, were it not that assertions had been advanced with respect to the burgh of Aberdeen which he knew to be unfounded. It had been stated that the debts of the burgh of Aberdeen amounted to 230,000*l.* and that it was in a state of bankruptcy. Now, he held in his hand a document which would shew the fallacy of such a statement. It was the report of the trustees of that burgh, and stated, that if the property of the burgh were disposed of, at even a moderate rate, it would not only pay all the debts, but a considerable surplus would be left; nay, that the revenue had considerably increased, and left an annuity of 1,500*l.* above that payment. Such was the state of the ruined and bankrupt burgh of Aberdeen! It had been asserted, that the magistrates had been guilty of fraud and concealment, and particularly that they had borrowed 10,000*l.*, without authority, for their own purposes. This had been asserted on the alleged authority of a very respectable individual an inhabitant of Aberdeen, but from that individual he had received a letter in which he denied his having ever accused the magistrates of the burgh of embezzling the public money. The hon. gentleman then entered into a review of the valuable improvements constructed in the town by the magistrates of Aberdeen, and which, he contended, ought not to be urged against them as crimes. Those improvements could not be effected without money, and the liberality with which they had conducted themselves with regard to them, afforded no proof of their alleged regard to their exclusive interests. He thought no advantage could be obtained by the appointment of a committee. Hopes would be excited by it, which it would be impossible to realize. He should, therefore, oppose the motion; for if this principle respecting the burghs in Scotland, were enforced, he was at a loss to see how it could be disavowed, if brought to bear upon the boroughs in England.

Mr. *Canning* expressed himself to be very unwilling to prolong a discussion of which the House seemed to be already weary, but as only one hon. member connected with the representation of England had delivered his sentiments on the subject, he thought it would not be respectful to the Scottish nation if the question were dispatched without a reply having been made to that hon. member by another, who was also unconnected with Scotland; and he was therefore urged to assign his reasons for voting against the motion of the noble lord. His hon. friend had maintained, that the articles of the Union did not preclude parliament from interfering with the Scots Burghs; and that it was as competent to legislate for the alteration of any arrangement in those burghs, as it was in the case of Penryn, or any other English borough. He denied the correctness of this extraordinary exposition of the act of union. The articles of that union were in his opinion, so clear and distinct, that it was impossible to misunderstand them. They said, with reference to the Scots burghs, "that their rights and privileges should remain entire after the Union and notwithstanding the Union." But where was the corresponding stipulation that those of England should not be altered? The weaker party in the union stipulated for safety; but the stronger did not. There was a similar condition on the part of Ireland in the act of Union with that country respecting the rights and privileges of certain boroughs. Hence he conceived that parliament was not entitled to take the same course with respect to the royal burghs of Scotland, or to certain boroughs in Ireland, as it had recently pursued in the case of Penryn. At the same time he did not mean to say that it was not open to parliament to deal with any borough in the United Kingdom as it was proceeding to do towards Penryn, if a case of similarly gross abuse were regularly brought under its cognizance. If the fancy should seize the House—which God forbid!—to establish any general principle of reform in the representation, he was not prepared to maintain that its power was so limited that it could not act towards Scotland and Ireland, as it might resolve to act with respect to England. It did not however follow, that the long established rights and privileges of the burghs under consideration should be interfered with merely because those burghs did not happen to send such representatives to that House as were exactly agreeable to the taste of particular persons. Such a conclusion was not to be admitted, unless indeed the House determined to enter into a consideration of the whole system of our representation. He admitted that where a case of malversation *ad hoc* was made out, the House might deal with a Scots burgh as with an English borough. If in the present case a malversation *ad hoc* were proved; two remedies having been proposed, the one operating on the pecuniary affairs, the other both on the pecuniary affairs and on the representation, it seemed to him to be the duty of parliament to adopt that proposition which would cure the pecuniary evil, without touching the principle of election. For the amendment of the pecuniary malversation the lord advocate of Scotland had given notice of a bill. He did not mean to argue by anticipation what might be the provisions of that bill. Their fitness would be a proper subject for consideration when the bill should come regularly before the House. But he could on no account accede to the noble lord's motion; because he was adverse to any attempt to meddle with the Scots system of representation; entertaining as he did the utmost apprehension of the consequences of any measure tending to what was denominated parliamentary reform. To that reform indeed he should always be a decided opponent, whatever disguise it assumed, or in whatever form it was presented; whether it exhibited itself in the coarse, broad, gross, disgusting, tyrannical, and insulting shape in which of late it had appeared in other places, or in the more plausible and less offensive, but not less dangerous character in which it was occasionally laid before that House. To the establishment of that reform, the motion before the House had, in his view of it, a direct tendency, and therefore he was irresistibly impelled to oppose its adoption. When touched by the spear of truth, it started up in all its native hideousness. It was for the House therefore to say whether it would tolerate this kind of proceeding, and suffer the question of parliamentary reform to be covertly insinuated on their attention. On that ground he had no hesitation in saying, that the House could just with as much right touch a single borough in England as a single burgh in Scotland. The motion was not one for enquiring into any particular malversation which might have arisen in the economy of the burgh expenditure; it was, on the contrary, one of those sweeping measures of reform which if adopted in one instance must be followed up in others. There were two modes of cure for the imputed evil; one a regulation by bill, such as that of which notice had been given, the other by a measure of this kind, which embraced a parliamentary reform indefinable in its nature. To suppose that that would alarm those who looked to parliamentary reform with desire would be absurd, but he trusted the predominating feeling of the House would incline to the milder and more certain remedy, leaving the other among the rash speculators with whom it originated. While the wisdom and firmness of parliament withstood the attempts to establish reform in England, he warned the House not to make an experiment in Scotland, that he was convinced, in honesty and faith, would lead to the most dangerous consequences by risking the representation of the whole empire.

Lord *A. Hamilton*, in reply, animadverted upon the attempt of the last speaker to misinterpret the language of the petitioners, and to ascribe to them an object which they distinctly disavowed; for those petitioners did not seek parliamentary reform, as the right hon. gentleman assumed, but merely solicited the establishment of some security against the prodigal expenditure of their funds.

The House divided: Ayes, 149. Noes, 144. Majority for the motion 5. The result of the division was received with loud cheers by the opposition. A committee was accordingly appointed, to consist of the following members; viz. Lord Archibald Hamilton, sir James Mackintosh, the lord advocate of Scotland, Mr. James Abercromby, sir James Montgomerie, Mr. J. P. Grant, Mr. Mackenzie, Mr. Kennedy, Mr. J. H. Blair, sir R. Fergusson, Mr. Sinclair, Mr. James Macdonald, Mr. Finlay, Mr. Maxwell, Mr. Hume, Mr. William Douglas, Mr. Macleod, Mr. Robert Grant, Mr. Frederick Douglas, Mr. Wilberforce, and Mr. Frankland Lewis.

### *List of the Majority.*

Althorp, vis.
Anson, sir George
Anson, hon. G.
Barham, Jos. F.
Bernard, vis.
Barnett, James
Bernal, Ralph
Bennet, hon. H. G.
Benyon, B.
Birch, J.
Brand, hon. T.
Byng, G.
Calvert, N.
Calvert, C.
Campbell, hon. J.
Carew, R. S.
Carter, John
Cavendish, lord G.
Chamberlayne, W.
Clifford, Aug.
Clifton, vis.
Colborne, N. R.
Colclough, C.
Coke, T. W. jun.
Concannon, Lucius
Crompton, Samuel
Crespigny, sir W. De
Calthorpe, hon. F.
Douglas, Wm.
Douglas, hon. F. S.
Davis, T. H.
Denman, Thos.
Duncannon, vis.
Dundas, L.
Dundas, G.
Dundas, T.
Ebrington, vis.
Ellice, Ed.
Euston, earl of
Finlay, Kirkman
Fremantle, W.
Fazakerly, Nic.
Fergusson, sir R. C.
Fitzgerald, lord W.
Fitzroy, lord C.
Fleming, John
Foley, Thomas
Folkestone, vis.
Gaskell, Benj.
Gordon, Robt.
Graham, R. G.
Grenfell, Pascoe
Guise, sir Wm.
Gurney, R. H.
Harvey, D. W.
Hill, lord A.
Honywood, W.
Hornby, Ed.
Howard, lord H.
Howard, hon. W.
Hume, Jos.
Hurst, R.
Hutchinson, C. H.
Howorth H.
Kennedy, T. F.
Lawson, M.
Lamb, hon. G.
Lambton, J. G.
Lloyd, sir J.
Lloyd, J. M.
Maberly, W. L.
Maberly, John
Mackenzie, Thos.
Morland, sir S. B.
Maule, hon. W.
Macleod, Rod.
Macdonald, J.
Mackintosh, sir J.
Madocks, W. A.
Milton, vis.
Martin, Rd.
Methuen, Paul
Maxwell, John
Merest, J. D.
Mills, George
Mildmay, P. St. John
Monck, sir C.
Moore, Peter
Morpeth, vis.
Newman, R. W.
Neville, hon. Rd.
Newport, rt. hon. sir J.
North, Dudley
Nugent, lord
Onslow, Arthur
Ord, Wm.
Osborne, lord F.
Phillimore, Jos.
Primrose, hon. F.
Palmer, C.
Prittie, hon. F. A.
Pares, Thomas
Parnell, sir H.
Parnell, Wm.
Pelham, hon. C. A.
Pelham, hon. G. A.
Philips, George
Philips, Geo. jun.
Phillipps, C. M.
Plunkett, rt. hon. W.
Ponsonby, hon. F. C.
Power, Rd.
Powlett, hon. W.
Ricardo, David
Ramsden, J. C.
Ridley, sir M. W.
Robarts, W. T.
Robarts, A.
Rowley, sir Wm.
Russell, lord G. W.
Russell, lord John
Russell, R. G.
Rumbold, C.
Shelley, sir John
Sebright, sir John
Sinclair, G.
Scarlett, James
Sefton, earl of
Smith, J.
Smith, Wm.
Smith, hon. R.
Spencer, lord R.
Stuart, lord J.
Stewart, Wm.
Stanley, lord
Symonds, T. P.
Talbot, R. W.
Thorp, alderman
Tierney, rt. hon. G.
Walpole, hon. G.
Waithman, Robt.
Webbe, Ed.
Western, C.
Whitbread, W.
Wilkins, Walter
Williams, Wm.
Wilson, sir Robt.
Wood, Matthew,
Webster, sir G.
Wynn, C. W.

TELLERS.

Hamilton, lord A.
Grant, J. P.

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## HOUSE OF LORDS.

*Friday, May 7.*

SECOND REPORT FROM THE SECRET

Committee of the House of Lords respecting the Bank of England resuming Cash Payments.] The Earl of Harrowby presented the following Report:

## SECOND REPORT.

By the Lords Committees appointed a Secret Committee to inquire into the State of the Bank of England, with reference to the Expediency of the Resumption of Cash Payments at the period now fixed by Law, and into such other matters as are connected therewith; and to report such information relative thereto as may be disclosed without injury to the public interest, with their observations:

Ordered to Report,

That the Committee have, pursuant to the instructions given to them by the House, proceeded to inquire into the several matters referred to them, and have collected from the examination of witnesses, and from the accounts laid before them, the information, which will be found in the minutes of evidence, and in the appendix.

The Committee think it right to premise, that in this investigation they have taken as their guide the decided opinion of parliament, as declared by many repeated enactments, that the removal of the restriction upon cash payments by the Bank, or in other words, the restoration of the currency of the country to a state of regulation by its ancient metallic standard, is an object which ought to be accomplished at as early a period as shall be found safe and practicable.

The first act, confirming and continuing the restriction contained in the minute of council of the 26th of February 1797, was passed on the 3rd of May 1797, and was to be in force till the 24th of June 1797. The restriction was farther continued by an act passed on the 22nd June 1797, until one month after the commencement of the then next session of parliament. By another act, passed on the 30th of November in the same year, the restriction was farther continued until one month after the conclusion of the war by a definitive treaty of peace. On the 3rd of January 1799, the directors of the Bank, in pursuance of a power reserved to them by the acts of parliament referred to, gave notice that on the 14th instant they would pay in cash all fractional sums under five pounds; and on the 1st of February 1800 would pay cash for all notes of one and two pounds, dated prior to the 1st of July 1798, or exchange them for new notes of the same value at the option of the holders. By another act, passed on the 30th of April 1802, the restriction was continued until the 1st of March 1803. On the 28th of February 1803 it was farther continued until the expiration of six weeks after the commencement of the then next session of parliament. On the 13th of December 1803, the country being then again at war, it was farther continued until six months after the ratification of a definitive treaty of peace. In the year 1812 an act was passed for preventing any note or bill of the Bank of England or Ireland from being received for a smaller sum than the sum therein specified, and for staying proceedings upon distress by tender of such notes; and in 1814 this act was farther continued during the continuance of any act imposing restriction upon the Bank with respect to payments in cash.

By an act passed on the of 18th of July 1814, the restriction upon the Bank was continued until the 25th of March 1815; and it was farther continued by an act passed on the 23rd of March 1815, to the 5th day of July 1816. On the 21st of March 1816 an act was passed, by which, after reciting in the preamble "that it was highly desirable that the Bank should, as soon as possible, return to the payment of its notes in cash; and that it was expedient that the provisions of the former acts should be farther continued, in order to afford time to the directors of the Bank to make such preparations as to their discretion and experience might appear most expedient for enabling them to resume payments in cash, without public inconvenience, and at the earliest period; and that a time should be fixed at which the said restriction should cease," it was enacted, that the said restriction should be continued until the 5th of July 1818. On the 28th of May 1818 another act was passed, by which, after reciting in the preamble, "that it was highly desirable that the Bank of England should return as soon as possible to the payment of its notes in cash, and that unforeseen circumstances, which had occurred since the passing of the last of the preceding acts, had rendered it expedient that the restriction should be farther continued, and that another period should be fixed for the termination thereof;" the restriction is farther continued until the 5th of July 1819. Of these unforeseen circumstances, the most important was the apprehension of the effect of farther foreign loans (particularly those of France) upon the exchanges and the price of gold.

Subsequent to the first restriction upon the Bank of England similar restrictions were imposed and continued by different acts upon the Bank of Ireland, and their termination was fixed at three months after the expiration of the restriction upon the Bank of England.

During these successive prolongations the Bank appears at different periods to have made great exertions to procure such a mass of treasure as might enable it to replace itself upon its ancient footing, whenever it should seem good to parliament to remove the restrictions. In 1798 the treasure was increased to an amount which bore, in the early part of 1799, a very large proportion to that of the outstanding notes. During the years immediately subsequent, this treasure experienced a considerable reduction; but from the middle of 1804 to the middle of 1808, the favourable state of the exchanges enabled the Bank to make large purchases of gold. In order to encourage the importation of gold, the Directors determined to give 4l. per oz., and the treasure was so much augmented as to have exceeded in 1808 the highest amount which it had reached in 1799. From that period it successively declined. The restriction was prolonged in 1814 only to the 25th of March 1815, and in 1815 only to the 5th of July 1816; but the extraordinary high price of gold, and the extreme depression of the exchanges, which, from whatever causes, prevailed during great part of these periods, combined, with the large advances to government which the exigencies of the public service required, to prevent any material progress being made towards a restoration of the treasure of the Bank to its former amount.

Notwithstanding these discouraging circumstances, the Bank more than doubled its treasure during the last eight months of 1815; and the fall in the price of gold, and the favourable turn of the exchanges, enabled the directors to raise it, by January 1817, to more than quadruple what it had been in the beginning of 1815. At this period the directors felt so confident of being able to comply with the injunctions of parliament, ~~even~~ before the period at which the restriction was to expire, that they issued a notice for the payment in cash of all the one pound and two pound notes bearing date prior to January 1816. Finding little or no demand for cash in consequence of this notice, and their treasure having continued during the course of the year to increase to an amount far exceeding what it had ever reached, and, with few exceptions, bearing a larger proportion to the extent of their issues than it had ever borne before, the directors issued a second notice in September 1817, for the payment in cash of all notes bearing date before the 1st of January in that year. This measure has been stated to the committee to have been undertaken, in the hope, that if it proved successful, that is, if the gold so tendered were not demanded, or if, when demanded, it remained in the country, the complete resumption of cash payments would take place gradually, and as it were insensibly, even prior to the period then fixed by parliament, viz. the 5th of July 1818.

In the month of April 1817, the effect of the great foreign loans made in that year began to be considerably felt. Between April and October 1816 the exchanges took an unfavourable turn, and the price of gold, which had from July 1815 to March 1817, fluctuated between 3*l.* 18*s.* 6*d.* and 3*l.* 19*s* 6*d.*, rose between April and December 1817, from 3*l.* 18*s.* 6*d.* to 4*l.* 0*s.* 6*d.*; since which date it does not appear by the quoted prices to have been ever again reduced below 4*l.* The new gold coinage also began to be issued in July 1817. The treasure of the Bank was raised to its highest amount in the month of October 1817. There appears to have been no considerable demand for gold previously to the month of October. The first issue of sovereigns in large quantities was in that month. There was a diminution in the demand for them in the three succeeding months; but in the month of February 1818 the issue of gold increased till August in the same year; and the demand during this period is stated to have arisen decidedly for the purpose of exportation. It appears from the evidence of Mr. Harman, that during the whole of the year 1817, the Bank did not think it necessary to make any reduction of its issues, either in consequence of the effect of the foreign loans upon the exchanges, or of its payments in gold, made in conformity to the notices above referred to. In fact, the average issue of Bank notes in 1817 exceeded by 1,700,000*l.* that of 1816; the average issue of the last six months of 1817 exceeded the average issue of the first six months of that year by 1,870,000*l.*; and this increase, combined with the revival of country banks from their previous depression, probably raised the circulating medium of the kingdom in the last six months of 1817, considerably beyond the amount at which it had stood in the preceding year.

A great reduction has been made in the issue of notes of the Bank of England since the commencement of the year 1818; they had been, on the average of six months from July to December 1817, at 29,210,000; on the average of six months from January to July 1818, at 27,954,000; from July to December 1818 they were reduced to 26,487,000, and have since been farther reduced to about 25,000,000; and during the last three months of 1818 the issues of country banks are stated by persons much conversant with the subject, to have certainly not increased, and probably to have declined; but the price of gold and the state of the exchanges have continued to be such, as to have drawn from the Bank, in addition to the gold demanded previously to March 1818, amounting to 2,022,000, a farther sum of 4,787,000, making in the whole an issue of 6,809,000, in consequence chiefly of the liability with which the directors had under different circumstances voluntarily charged themselves to pay the fractional parts of dividends, and a certain proportion of their notes in cash. Their treasure was by these drains very considerably reduced; and they were still liable, in consequence of the same measures, to an additional demand for cash to the amount of several millions.

This unfavourable state of the exchanges and of the price of gold is attributed to different causes by different persons examined before the committee. By some, to an excess in the circulating medium of the country; by others, to the effect of the late regulations of the mint respecting the new silver coinage, by which the proportions between the relative value of gold and silver are stated to have been so varied as to have occasioned the exportation of gold: by others it is attributed to the continued operation of foreign loans, to the temptation held out by a high rate of interest to the investment of British capital in foreign funds, and foreign speculations, and to the large purchases of corn from abroad; a great proportion of which is paid for in advance, and must therefore in their opinion have had a material effect upon the balance of payments, and of course upon the exchanges, during the year 1818.

It is under these circumstances that parliament is called upon to deliberate, whether it will be most for the public interest to adhere to the decision it had taken in May 1818, or to allow a farther delay for the preparations necessary to carry this important measure into execution, in order, as far as possible, to secure its ultimate accomplishment, and at the same time afford the means of taking such precautions, as may diminish the pressure of whatever public inconvenience may be felt or apprehended.

Much difference of opinion upon almost all the questions, whether of theory or of practice, to which the attention of the committee has been drawn, will be found in the evidence. Upon one point only there is nearly an unanimous opinion, grounded indeed by different persons upon different lines of argument, but concurring in the same result; viz. that it would not be safe and practicable for the Bank to resume cash payments on the 5th of July 1819; and, as the committee see sufficient reason to agree thus far with the practical result of these opinions, viz. that in the state of things which now exists, there is a necessity for some farther postponement, they need only refer to the evidence, in which the different reasons which lead to this conclusion are fully stated.

It can hardly be necessary for the committee to remark, that this opinion does not rest upon any ground which can intimate the slightest doubt as to the credit or solidity of the Bank; that body possesses at the present moment, the means of discharging, out of the treasure actually in its coffers, every demand which could have been made upon it for payment in cash in consequence of the notices referred to; and the only object of the measure which, at the recommendation of the committees of both Houses, has been already adopted by parliament, during the course of the present session, was, to prevent the continuance of a drain of the existing treasure, and thereby to facilitate such operations as the committee might feel it to be their duty to recommend, in preparation to a final removal of the restriction.

Of the ultimate sufficiency of the Bank no doubt has been or can be entertained; but as parliament thought proper, at the period when it imposed the first restriction upon the Bank, to direct an inquiry into the actual state of its affairs, and as a similar injunction is contained in the order by which this committee is appointed, they have thought it their duty to lay before the House the statement in the Appendix; by which it appears, that exclusive of the debt from government, at three per cent., of 11,686,800*l*., and of the advance to government at three per cent. of 3,000,000*l*. making together 14,686,800*l*. the balance in favour of the Bank, on a comparison of its debts and credits (including in the former the government balances in the hands of the Bank) is 5,231,190.

The next subject to which the attention of the committee has been directed, was the consideration of what time might now safely be fixed for the ultimate restoration of the currency of the country to the ancient metallic standard of value, and what were the measures, if any, which it might be expedient to adopt, in order both to facilitate and to ensure the complete attainment of this great object.

Unless the market price of gold shall be, at the time so fixed, and shall continue to be afterwards, so near the mint price as not to afford a profit upon the exportation of that metal, it has been abundantly proved, by past experience, that no law can prevent such exportation, and the consequent demand upon the Bank. The main question therefore is, by what means, and within what time, the reduction of the price of gold to the mint price, or, which is nearly equivalent, such a favourable state of the exchanges as will prevent a profit on exportation may best be attained.

It is strongly contended by some of the witnesses, and is admitted by most, that a considerable, and (as was expressed by one of them) forcible reduction of the issues of the Bank, accompanied by what some consider as a necessary, and others as a probable consequence, a diminution in the issues of country bank paper, would produce a favourable turn in the exchanges, and a reduction in the price of gold. But many of those who are most deeply impressed with the necessity of the earliest possible recurrence to the ancient standard of the country, state, in the strongest terms, the general distress which a large and sudden diminution of the paper currency, now the only circulating medium of the country, must occasion; while others are opinion, that a very small reduction of the circulating medium will be sufficient to produce these effects, and that little distress would be occasioned. There are some also who hold that the present mint regulations respecting silver are the sole cause of the high price and consequent exportation of gold, and of course are of opinion, that there need be neither reduction nor distress.

The general result of all the varying sentiments of the witnesses upon the subject of the foreign exchanges, and of the price of gold, may perhaps be thus stated;

Many of those who maintain, that it is at all times in the power of the Bank to exercise a complete control over the rise and fall of the exchanges, and of the price of gold, nevertheless think, that the great loans contracted for since the peace, by foreign states; the investments made by persons in this country in foreign securities, to the amount as has been conjectured, of ten or twelve millions; the pressure which took place in the money market at Paris and other commercial towns on the continent, and in America; and the great importation of corn during the last year, have of late concurred in lowering the exchanges. They hold indeed, that when our circulation was in its former state of payments in specie, no payments abroad could bring the exchanges materially below their par; but with a paper, that has no such regulator of its value, they think that the necessity of payments abroad, from whatever cause, does undoubtedly produce a considerable effect upon the exchanges, which might however, as they state, be always counteracted by a sufficient diminution of paper.

On the other hand, many of those who attribute the high price of gold, and the unfavourable state of the exchanges, chiefly to the operation of these latter causes, and who deny or doubt the fact that the issue of the notes of the Bank of England has been excessive, nevertheless think that an excessive increase or diminution of their issue might affect the exchanges; but they doubt whether a small increase or diminution would produce any marked effect upon them.

Those again, who maintain that the proportion betwixt the Mint price of gold and silver, as settled by the recent change in our Mint regulations, is the sole cause of the nominal high price of gold, think that the real exchange has, for the last two years, been in favour of this country; that there has been during that period no over issue of bank paper: that had it not been for the Mint regulations, gold must have continued to flow into this country, as it did in 1816; that there could, therefore, have been no demand on the Bank for coin of that metal, for the purpose of exportation; and that the Bank could have found no difficulty in resuming payments in cash at the time now fixed by parliament.

It appears to the committee, upon the whole, that so long as the Bank continued liable to pay in cash, it might be concluded from reasoning, and has been proved by experience, that the variations in the market price of gold, and also in the exchanges, would be confined within much narrower limits, than they have been since the restriction upon cash payments.

Under the ancient system, if an unusual demand were made upon the Bank for cash, when the exchanges were above par, and the price of gold below the Mint price, as such a demand could only be occasioned by some sudden panic, or by a failure in commercial credit, and could not, under such circumstances, arise from the profit to be derived from the exportation of gold, there might be occasions in which the Bank might think that with a view to its own interest, so closely connected with that of the commerce and manufactures of the country, the best mode of checking such a demand might be, to make a more liberal issue of its notes, and thereby to revive that credit, the want of which had produced the embarrassment; but if an unusual demand took place, at a time when, from the state of the exchanges and of the price of gold, it evidently arose from the profit to be made by the exportation of that metal, the Bank always found itself under the necessity of contracting its issues for its own security. In the latter case therefore, whether the directors did or did not adopt the principle, that the increase or diminution of the paper currency has a decisive influence upon the exchanges, they necessarily acted in the same manner as if they had fully adopted it.

There is a difference, however, not to be disregarded in the impression likely to be produced upon the public mind, by any pressure arising from the measures to be taken by parliament for insuring the restoration of a metallic standard, as distinguished from those pressures which might be occasionally experienced under the former system. These would be felt to be the necessary result of the precautions, which, under particular circumstances, might be taken by the Bank for its own security; and if any temporary inconvenience were produced by them, they would manifestly have for their object, to avert an evil universally acknowledged to be still greater, viz. the stoppage of payment by the Bank; whereas any pressure which might now be experienced by too rapid a progress towards the resumption of cash payments, might be thought to be an evil voluntarily and unnecessarily incurred, from an impatience to attain an object, respecting which there was more difference of opinion, and therefore less readiness to make any considerble sacrifice for its speedy attainment.

It has also been stated to the committee, that there exists at this present moment a considerable degree of embarrassment in commercial transactions, which is attributed by some of the witnesses to the over-trading which has taken place, encouraged, in the opinion of one witness, by the increase of the circulating medium in 1817, and is attributed by others to the subsequent diminution of that medium. Very different opinions have also been stated respecting the probable duration of this embarrassment; but as all agree respecting its actual existence, a more than ordinary degree of caution is required in the adoption of any legislative measures which may, even by a temporary operation, in any degree aggravate or prolong it.

These considerations have united to incline the committee, in the proposal which they will submit in the conclusion of their report, rather to extend the time at which the ultimate resumption of cash payments should be required to take place, beyond the period at which, according to the best opinion they can form, there would be a probability of its easy accomplishment, under ordinary circumstances, than to hazard the ultimate success of that measure, by assigning to it the earliest period, within which, according to such opinion, it might be safely practicable. The measure had better not be begun at all, unless there be a determined purpose to carry it to its completion, as an ineffectual attempt might create great mischief and distress, and would not leave any beneficial result to repay the country for what it may have suffered.

From thus extending the period, it seems to the Committee, that considerable advantages would arise. Those who think that the object is to be accomplished only by the means of a considerable reduction of the notes of the Bank of England, and that the inconveniences, which they acknowledge to be the necessary result of such reduction, would be amply compensated by the restoration of the ancient metallic standard, feel considerable anxiety to diminish the extent of these inconveniences. Those who expect little or no inconvenience to arise from the measures necessary for the attainment of this object, are nevertheless sensible of the difficulties which are opposed to its early accomplishment by the present state of the Bank treasure, and by the existing (though as they hope temporary) commercial pressure. They are on this latter account particularly desirous to allay even those apprehensions which they deem unfounded or exaggerated, and are satisfied that provided the ultimate object be secured, the intermediate pressure, whatever may be its degree, would be materially lightened by being spread over a greater length of time.

Those, on the other hand, who feel less confident in the effect of such a reduction, who think, that even were its effect certain, it could only be produced by the creation of a greater degree of distress than the public could well bear—who look to the cessation of those temporary causes, to which they attribute the largest share in producing the unfavourable state of exchanges and the high price of gold, as the natural remedy for the evil—and who expect that in no long space of time, the favourable balance of payments (the usual result of the extent and nature of our commerce) will, without incurring any distress by taking measures for the forcible production of such a change, lead insensibly, but with sufficient certainty, to the attainment of the object in view—all persons who entertain these opinions, must feel still more anxiety for the extension of the period.

There are, however, some measures of preparation which, whatever time may be fixed, appear desirable, if not indispensable,

It is well known that the Bank has always been in the habit of making large advances to the government for the public service. These advances are partly made under special acts of parliament, upon securities therein provided. There is another species of accommodation which has also been afforded by the Bank, viz. the purchase of exchequer bills to a large amount. For the state of the law upon this subject the committee beg to refer to a paper which has been laid before them, and which is inserted in their appendix. The amount of the exchequer bills and other government securities, either held or purchased by the Bank at different periods, will also be found in the account which is there inserted. The different applications made by the treasury to the bank for accommodation are fully detailed in the annexed accounts and correspondence. The principles upon which the treasury has acted in making these applications during the last four years, are explained in a memorandum delivered to the committee by the first commissioner of that board; and important information respecting these transactions will be found in the evidence of Mr. Harman, who, during the greatest part of the period last referred to, was either governor or deputy governor of the bank.

The committee think it proper to remark, that whatever effect the extent of the advances here referred to might have had upon the power of the Bank, at any given moment, entirely to resume cash payments, supposing other circumstances had not intervened to prevent such resumption, they do not appear to have had any influence in diminishing the extent of the accommodation received by the public for commercial purposes. In the opinion of most of the witnesses who have been examined, the abundance of circulation produced by the liberal issue of Bank notes, upon whatever securities they were issued, has produced indirectly as great facilities to commerce, as if they had been directly issued in commercial discounts. A transfer, to a considerable degree, of the discount trade from the Bank to private bankers and merchants is stated to have taken place; but the facilities afforded to commerce were at least as great in the latter case as in the former, as the discounts made by the Bank were more restricted in point of time, were limited by the necessity imposed upon the applicant of bringing two and sometimes more securities, and were granted only at five per cent, at a time when private merchants and bankers were discounting at a lower rate.

The effect, however, of the extent of the advances to government upon the situation of the Bank, when preparing for a resumption of cash payments, is evidently to cramp its operations, by placing a large proportion of its issues beyond its control. The advances made directly to government are only repaid at the period fixed by law. The exchequer bills purchased by the Bank could not be sold in large quantities without reducing them to a considerable discount; and this discount would bring them into the exchequer in payment of the taxes, to such an extent as might materially derange the provisions for the public service. An understanding therefore, without express agreement, appears to have prevailed, that, when thus purchased, they should not be sold by the Bank. On the other hand, the issues of notes upon discount revert to the Bank at periods so short, that any reduction of the paper so issued, which circumstances may render necessary, is always within their reach; with this control over their issues, they are enabled to feel their way, and to restrict or enlarge them, either as the wants of the country may permit or demand, or as the state of the exchanges and the price of gold may appear to require.

It appears therefore to the committee to be highly expedient, that means should be taken to repay to the Bank a large amount of these advances at an early period.

In considering the means of providing for the future a safe and sufficient circulating medium for the country, the committee were naturally led to make inquiries as to what had been its amount, previously to the Bank restriction, when it consisted partly of gold coin and partly of paper; what has been its amount during the interval, when there was little or no gold coin in circulation; and what is likely to be its amount, and what ought to be its composition, when a metallic standard is restored.

Upon the first of these heads they neither found, nor indeed could they expect to find, any ground, from which a satisfactory conclusion could be drawn. The only certain data at any period are the notes of the Bank of England. The amount of coin rests only upon estimates formed in a great degree upon conjecture; and the official accounts offer little information respecting the issues of country banks at that period, as the stamps upon these notes were not then sufficiently distinguished in those accounts from other stamps. It is known that in 1792 those issues had been considerably extended; that after the commercial difficulties of 1793 they were greatly reduced;* and in 1797 had not reached their former amount.

Taking, however, the amount of the gold coin in circulation at five millions below the estimate made by the late lord Liverpool,

| | |
|---|---|
| viz. at ........................ | £.25,000,000 |
| The notes of the Bank of England at ........................ | 10,500,000 |
| The country notes, including Scotland, may be conjectured to have been ................ | 7,000,000 |
| The amount of circulating medium before the Bank restriction will be ................ | 42,500,000 |

exclusive of silver and other means of circulation.

Upon the second head, viz. the amount of the circulating medium since the restriction, there are undoubtedly, at least as to a portion of the period, somewhat better materials for calculation. That part which is certain, viz. the amount of the notes of the Bank of England, has borne so much higher a proportion to the whole of the circulating medium, that the uncertainty which rests upon the remainder, has less proportional effect upon the general result. The details of these issues appear in the accounts in the Appendix.

The variations in the amount of these issues, in the week immediately preceding, and in that immediately following the payment of the dividend upon the national debt, are so considerable (being from three to five millions in January and July, and from two to three millions in April and October), that in considering the general circulation of the country, it seems better to take an average of the issues for six months, than to form any calculation upon a shorter period. Stated upon this principle, it appears that they did not reach fifteen millions before the first six months of 1800; that they never reached twenty millions before the first six months in 1810, in the latter six months of which year they exceeded 24 millions. The variations for the next three years were not considerable; but the rise during the year 1814 was rapid, and carried their amount, upon the average of the last six months, to above 28 millions. The lowest point to which they fell, was between 26 and 27 millions, in the first six months of 1816. The highest to which they rose was in the last six months of 1817, when they were at their greatest average amount, viz. 29 millions, and from that period they have gradually decreased nearly to 25 millions, previously to the issue of the last dividends.

The amount, however, of Bank of England paper actually in circulation, is not always to be measured by the extent of its issues. When credit is flourishing, the reserve of Bank of England notes kept by country bankers will be considerably less, than when any local or general difficulties oblige them to make more ample preparations against large and sudden demands; and this reserve must in the present state of our circulating medium, consist in a great proportion of notes of the Bank of England, into which their own notes are legally convertible. It will consist also, to some extent of notes of other country banks, in exchange for which they can demand from those banks, notes of the Bank of England. In a state of imperfect credit, the country banks will also reduce their own issues, and will either never issue at all, or refrain from re-issuing a larger proportion of their own notes, which they keep by them ready stamped; so that even if the amount of stamped notes actually in existence in any given year could be ascertained with certainty (which is very far from being the case), the proportion of such notes at that time actually in circulation could not from thence be inferred with accuracy. A similar degree of uncertainty, as to the amount of the circulating medium, must exist, as far as it arises from the varying reserves of all bankers, even when that circulating medium consists in part of gold, and will then equally apply, which it does not now, to the reserve of the Bank of England.

With respect however to that part of our currency, which has consisted of country bank-notes, the Committee have endeavoured, from such accounts as have been furnished them from the stamp office, to form some estimate of their amount. The difficulties of various descriptions, which throw a great uncertainty upon any calculations founded upon these accounts, are explained in statements delivered in by Mr. Sedgewick, which are to be found in the Appendix. From these materials two calculations have been drawn. The grounds upon which each of them rest are to be found in the Appendix. The Committee are inclined to think, that of these two approximating estimates, the second is the best adapted to their view of the subject: but they submit them both to the House, with a full sense of the imperfection to which they are necessarily liable.

| | | | | |
|---|---|---|---|---|
| 21,374,000 | - | 1810 | - | 21,819,000 |
| 20,977,000 | - | 1811 | - | 21,453,000 |
| 20,047,000 | - | 1812 | - | 19,944,000 |
| 22,342,000 | - | 1813 | - | 22,597,000 |
| 21,672,000 | - | 1814 | - | 22,709,000 |
| 20,378,000 | - | 1815 | - | 19,011,000 |
| 15,525,000 | - | 1816 | - | 15,096,000 |
| 15,862,000 | - | 1817 | - | 15,898,000 |
| 20,044,000 | - | 1818 | - | 20,507,000 |

These estimates must indeed be not only far removed from accuracy, respecting any particular year, but many causes of uncertainty attach to them even if they were considered merely as affording data for calculating the relative circulation of different years. In this respect, however, they derive confirmation, especially the latter, from their correspondence with the general tenor of the evidence of persons connected with the country banks. The estimates which these persons have formed, as to the amount of the country notes, grounded upon local knowledge, and extended by inference to the whole kingdom, will be found in the minutes.

Much important information respecting the nature of this circulation will be found in the evidence, and particularly as to the different practice which obtains in different parts of the kingdom, more especially in Norfolk and in Lancashire.

The calculations founded upon the accounts from the stamp office (which afford no distinct data prior to the year 1809) would leave the Committee to suppose that the amount has varied, between 1810 and 1818, from below 16 to above 22 millions; that it was at the highest in 1814; at the lowest in 1816 and 1817; and that it has again risen in 1818.

Combining the accurate statements of the issues of the Bank of England, upon the average of each year, with the result of the inquiry into the issues of country banks, the account would stand thus:

| | | | | | |
|---|---|---|---|---|---|
| 1810. | Bank of England........ | 22,541,000 | | 22,541,000 | |
| | Country Banks........... | 21,374,000 | | 21,819,000 | |
| | | | 44,915,000 | | 44,360,000 |
| 1811. | Bank of England........ | 23,282,000 | | 23,282,000 | |
| | Country Banks........... | 20,977,000 | | 21,543,000 | |
| | | | 44,259,000 | | 44,825,000 |
| 1812. | Bank of England........ | 23,237,000 | | 23,237,000 | |
| | Country Banks........... | 20,047,000 | | 19,944,000 | |
| | | | 43,284,000 | | 43,181,000 |
| 1813. | Bank of England........ | 24,023,000 | | 24,023,000 | |
| | Country Banks........... | 22,342,000 | | 22,597,000 | |
| | | | 46,365,000 | | 46,620,000 |
| 1814. | Bank of England........ | 26,901,000 | | 26,901,000 | |
| | Country Banks........... | 21,672,000 | | 22,709,000 | |
| | | | 48,573,000 | | 48,610,000 |
| 1815. | Bank of England........ | 26,886,000 | | 26,886,000 | |
| | Country Banks........... | 20,378,000 | | 19,011,000 | |
| | | | 47,264,000 | | 45,897,000 |
| 1816. | Bank of England........ | 26,574,000 | | 26,574,000 | |
| | Country Banks........... | 15,525,000 | | 15,096,000 | |
| | | | 42,099,000 | | 41,670,000 |
| 1817. | Bank of England........ | 28,274,000 | | 28,274,000 | |
| | Country Banks........... | 15,862,000 | | 15,898,000 | |
| | | | 44,136,000 | | 44,172,000 |
| 1818. | Bank of England........ | 27,220,000 | | 27,220,000 | |
| | Country Banks........... | 20,044,000 | | 20,507,000 | |
| | | | 47,264,000 | | 47,727,000 |

To this must be added about 271,000*l.* for the average circulation of unstamped small notes issued by the three chartered banks in Scotland, which are not included in the stamp office accounts.

The result of this estimate would be, that the circulating medium of England, as far as it consists of notes of the Bank of England or of Country bank notes, between 1810 and 1818, both years inclusive, has varied from about 42 millions to above 48 millions; and that it was highest in 1814, and lowest in 1816.

With respect to the numerical amount of circulating medium necessary to carry on with facility the transactions of the country, whatever may be the composition of such circulating medium, it is evidently impossible to form any judgment.

The great increase of the transactions of this country, in every part of its home trade and agriculture; the rise of the amount of its exports and imports (even according to the official value, which is much below the real value) from 51,231,000*l.* on the average of three years preceding 1797, 82,750,000*l.* on the average of the three last years of which the accounts have been given in; the increase of the charge of the national debt from 13,430,000*l.* in 1797 to 43,819,000*l.* in 1819; and the amount of the taxes, which since 1792 have risen from about 16 to 50 millions (an increase occasioned not merely by an increased rate of taxation upon the same articles, but by the imposition of new taxes upon a great variety of articles), might have been expected to require a much larger increase of circulating medium. It is, however, obvious that such amount would not have necessarily borne any specific proportion to the amount of transactions of every kind, or to that of revenue. The flourishing state of commerce and of credit producing a greater rapidity of circulation, will have enabled the same quantity of circulating medium to carry on a much greater amount of transactions; and the various modifications of credit to which such a state of things gives birth, together with the successive improvements in the arrangements of commercial and banking business, must have had the same effect to a great extent. There must also obviously be a great difference in the required amount of a currency consisting of paper only, and that of a currency consisting partly of paper, and also, in a large proportion, of gold. It is to these circumstances (co-operating possibly with others), that we may perhaps attribute the sufficiency of the circulating medium actually existing to perform functions to so much larger an amount than were performed in 1797 by the circulating medium then existing, which was probably not many millions less than at present.

What proportions the various component parts of the circulating medium may bear to each other, after the resumption of cash payments, it is difficult to conjecture. They must evidently be influenced by the future regulations of parliament, with respect to the nature and description of the paper currency.

If the paper currency is to be confined, as it was within a short period before the Bank restriction, to the issue of notes of 10*l.* and upwards by the Bank of England, and of 5*l.* and upwards by the country banks, the necessity for a very large amount of gold coin for smaller payments is evidently indispensable. Should parliament think proper to continue both to the Bank of England and to country banks the liberty of issuing notes of a lower denomination, and particularly of 1*l.* and 2*l.*, this permission would probably have the effect of keeping up a paper circulation, bearing a much larger proportion to the whole, than in the former case, and would so far diminish the necessity of an extensive circulation of gold coin. But although it would diminish that necessity, the degree in which it would diminish the demand for gold coin can only be stated as matter of conjecture. The established habits of the public may operate so decidedly in favour of a paper circulation, that there might be only a very small demand for gold coin; and as far as any judgment can be formed from the short interval during which the Bank issued gold coin in exchange for their notes, before the rise in the market price of gold occasioned a demand for exportation, this might probably be the case; the period was however too short to afford sufficient grounds for any decisive inference as to the future; and it is on the other hand the opinion of some of the witnesses, that the new coin would be preferred to paper.

The Commitee attaching great importance to the restoration of the paper currency to a metallic standard, are also deeply impressed with the great advantages of such a currency when so regulated; and they think it highly desirable that a large proportion at least of the transactions of the country should be carried on by that medium. But the question, what proportion ought to be so carried on (if it were a point capable of solution, or could be the subject of regulation), wherever a mixt circulating medium is permitted, is very different from the question, what proportion the different classes of such a mixt circulating medium will actually bear to each other, when left to be decided by the supposed interest, or even by the inclination of the public.

The latter question, however, is one, upon the result of which, one way or the other, the most serious practical consequences depend. Any judgment to be formed beforehand must unavoidably be conjectural, and yet upon such judgment we must be forced in some degree to act. Upon the greater or less probability that, in the event of the opening of the Bank upon the ancient system, paper would still be preferred to coin, must depend the extent of the accumulation of such coin with which the Bank must be prepared to meet that demand.

Unless this point be rightly estimated, the Bank, on its first re-opening, might experience a demand, against which it would be difficult, if not impossible, to guard.

If the Bank is to make preparation, in the interval between the present time and the expiration of the restriction, to fill with gold coin all those channels of circulation which might possibly require to be so filled, the very extent of the purchases of bullion, necessary to be made for such a purpose, must, in some degree, whatever may be the interval, and in a very great degree if that interval be short, tend to obstruct the attainment of the ultimate object—the equalization of the market price of gold to its mint price; and unless the effect of these purchases were counteracted by a rapid reduction of the issues of the Bank, for commercial discounts and other purposes, to an extent of which the mischief has been so frequently referred to, the price of gold might be such at the very moment of the resumption of cash payments (supposing that moment to be previously and unalterably fixed), as to render the continuance of such payments difficult and hazardous.

These considerations have led the Committee to examine, with particular attention, a plan which has been suggested to them, and which, as it will appear by the evidence, is viewed in a very favourable light by many persons well qualified to form a judgment upon such a subject.

The leading principle of this plan is, to restore to the country, by the speediest and safest means, a metallic standard, as the regulator of its paper currency, by permitting the Bank to pay its notes in gold bullion, at the mint price, instead of gold coin.

Various advantages appear to the Committee to attend this plan, in preference to a simple resumption, in the first instance, of cash payments by the Bank. It establishes, equally with cash payments, the principle and the salutary control of a metallic standard, while it affords the best prospect of avoiding or diminishing many of the inconveniences which are by many persons apprehended from that measure. It exempts the Bank from the obligation of providing a quantity of gold necessary to replace, in case the public should prefer coin to paper, all the smaller notes, to the amount probably of 15 or 16 millions, which are now circulated in London and in the country; and therefore, by relieving the bullion market from this demand, it prevents that augmentation of the price of gold, which might be the consequence of large purchases of that article made in a short space of time, under the pressure of a necessity publicly and previously known. And it continues to the Bank, and therefore to the nation at large, all the advantages to be derived from the employment of a capital equal to the amount of all the small notes in circulation, whether of the Bank of England or country banks. In the one case, this capital would still be, as it now is, employed in the support and extension of agriculture and of commerce, whether foreign or domestic; in the other, it would be merely an addition to the dead stock of the country, producing neither profit nor advantage.

It seems probable also, that when the Bank is made liable to pay only in bullion, and that only in exchange for notes to a certain amount, it would be chiefly subject to such demands as might arise from the excess of the market price of gold above the mint price, and the consequent profit upon exportation. To a demand resulting from this source, every Bank issuing paper convertible into either of the precious metals, must at all times be liable, and unless the market price of gold can be kept within certain limits of deviation from the mint price, either by the reduction of the issues of paper or by the effect of a favourable balance of payments upon the exchanges, the whole system of banking must necessarily fall to the ground. It is no objection, therefore, to this plan, that it does not provide against a possible inconvenience, which is, under such circumstances, an inseparable attendant upon all paper currency so convertible; that is, upon all paper currency, which is secured from great and inconvenient variations. The plan however contains in itself, during the period which may elapse before the market price of gold falls to the mint price, a considerable guard even against this danger, a guard which did not exist in the mixed state of our currency. As it would be impossible for any person to draw bullion from the Bank, except in exchange for Bank-notes, no demand could be made upon the Bank to any great extent for gold without occasioning a scarcity in the currency which would tend to raise the value of those notes, and to remove the temptation to present them in exchange for bullion. The same circumstance would operate to check any demand, which might arise from a sudden panic; and the rapidity of such demand, in which its chief danger consists, might be somewhat diminished by the necessity of collecting notes to that amount, in exchange for which payment in bullion would be demandable. And in whatever degree a disposition may have existed to hoard coin, there would probably be less disposition to demand bullion from the Bank for that purpose.

The Committee, in recommending the principle of this plan of resumption to the favourable consideration of the House, think it nevertheless their duty to suggest such provisions as have occurred to them, by which, in their opinion, without weakening its efficacy, or impairing any of its advantages, its operation would be facilitated and ensured.

In the first suggestion of the plan, it was proposed that the Bank, upon the removal of the present restriction, should immediately pay in bullion at the mint price, instead of paying in coin. The Committee have laid before the House, in the former part of this report, the considerations which induce them to think that it must be desirable upon the whole to allow a considerable interval of time before the Bank should be required to resume cash payments upon the ancient system. These considerations would operate in a great, although not an equal degree, against the too early adoption of the plan for bullion payments at the mint price. The objection to the prolongation of the period in the former case was chiefly this; that the country would be left during that period, whatever it might be, without the certainty of any progress being made towards the re-adoption of a metallic standard of value. The interposition of bullion payments affords means of obtaining this security, which cannot be provided with equal advantage under the simple resumption of cash payments. The resumption of bullion payments may, if parliament should think proper, commence at an earlier time, and at the present market price of gold. Successive periods might, if thought necessary be fixed, at which the rate of bullion payments should be gradually lowered, until it should finally be brought down to the mint price. The same principle of gradation could not be applied to payments in coin, without the great and obvious inconvenience which must result from successive variations in its circulating value.

The effect of this graduated scale would be, to re-establish from the first commencement of its operation, the principle of a metallic standard. It would indeed not at once be a recurrence to the ancient standard; but an approximation would be gradually made towards it, and at no distant period it would be attained. The necessity, under which the Bank would be placed of regulating its proceedings with a view to the commencement of bullion payments upon this system, would give a security, perhaps unnecessary, but satisfactory to the public, that some progress was actually making towards the ultimate object. As the Bank would at the same time be relieved from an early recurrence to cash payments upon the ancient system, it would gain a longer interval for the gradual accumulation of its treasure, any reduction of its issues, which might be found necessary, might be gradually made; and all persons engaged in commerce would also be enabled to accommodate their transactions to the new state of our circulation.

It has been suggested, that the Bank might have the option of paying in bullion or in coin; but the committee are inclined to think, that even at the time when this scale shall have reached the mint price, the Bank should begin to pay in bullion only. If there is any weight in the argument that one of the great advantages of the proposed plan, with the modification suggested, is this, that it would render it safe for the Bank to open with a much smaller amount of treasure than might be thought necessary for the resumption of cash payments upon the ancient system, and therefore that it might begin its operation at an earlier period, it is evident that were the Bank from a preference to the ancient system, to determine to avail itself at that period of the option between bullion and cash payments by paying in coin only, it must, in consequence of such determination, make more rapid and more extensive purchases of gold in the interval, and thereby impede the gradual progress of its reduction to the mint price, which is the main object to be attained.

There is also another evil against which it would be expedient to provide a guard; viz. the possibility of an excessive reduction of the circulating medium, during the operation of this plan. This might be prevented by imposing upon the Bank the obligation to giving their notes in exchange for gold bullion (if tendered to them) at fixed prices, either taken somewhat below the mint price, or, in the first instance, somewhat below the price at which the bank should commence to pay in bullion; or farther, if it should be thought proper to introduce more than one point in a graduated scale, at prices somewhat below those which might successively be fixed. Either of the latter expedients would afford a greater security against any excessive reductions of the issues of the Bank, but they might introduce a degree of complication into the system, and might, cramp the operations of the Bank in an inconvenient manner; and the Committee think that, on the whole, a preferable security would be afforded by leaving the mint open to the public, by which any considerable deficiency in the paper currency would be supplied, and its effects counteracted by the coinage of gold.

In order to bring before the view of the House, with more distinctness, the whole of the plan which the Committee beg leave to recommend to their consideration, they will state shortly the different parts of which it consists:

1. That provision should be made by parliament for a repayment of the debt of government to the Bank to a considerable amount, and that a part of that repayment should take place some time antecedent to the first period, which may be fixed for the commencement of bullion payments by the Bank:

2. That from and after the 1st of December 1819, or at latest the 1st of February 1820, the Bank of England shall be required to pay its notes in gold bullion duly assayed and stamped in his majesty's mint, if demanded, in sums of not less than the value of 60 ounces, at the price of 4*l.* 1*s.* per ounce of standard bullion; that on the 1st of November 1820, or at such other period as may be fixed, the price shall be reduced to 3*l.* 19*s.* 6*d.*, unless the Bank shall have previously reduced it to that rate, it being always understood that

the price, when once lowered, shall not again be raised by the Bank; and that on the 1st of May 1821, the Bank shall pay its notes, if demanded, in gold bullion, in sums of not less than the value of 30 ounces, at the price of *3l. 17s. 10½d.* per ounce of standard bullion:

3. That a weekly account of the average amount of notes in circulation during the preceding week, shall be transmitted to the privy council; and a quarterly account of the average amount of notes in circulation during the preceding quarter, shall be published in the London Gazette:

4. That for two years, from and after the first of May 1821, the Bank shall pay its notes in gold bullion only at the mint price; and that whenever parliament shall think proper to require the Bank to pay its notes in coin, notice thereof shall be given to the Bank one year before hand, such notice not to be given before the first of May 1822.

Should parliament think proper to adopt this plan for the regulation of the Bank of England, it is evident that provisions must be made for applying the same principle to the Bank of Ireland.

The Committee are perfectly aware of an objection which may be stated to this plan, viz. that during its operation the country will probably have no currency except paper, for payments beyond 40 shillings, and that the advantage resulting from the convertibility of Bank notes into bullion appears to be given, at least in the first instance, only to the holders of large sums.

In answer to this it must be remembered, that so long as the price of gold shall continue high enough to afford a profit upon the melting and exportation of coin, framed according to the present mint regulations, there can be no circulation of gold coin in the country. Under such circumstances any farther issue of gold coin would be useless. It would indeed be worse than useless, as the purchase of the bullion to be coined would raise the price of gold, and the expence of coining it would be a waste of public money. Such an issue could only be useful whenever the price of gold is so far below the mint prcie as to compensate for the interest lost during the time of coinage. But, although the Committee entertain great hopes that, during the operation of the plan in question, the price of gold will fall to the mint price at an earlier period than what is fixed for its completion, yet the plan itself presumes that such fall may not take place, and have been established befere the 1st of May 1821.

Under this uncertainty it would be difficult, if not impossible, to foresee any moment previous to that date at which it might be expedient to make such an issue, or at which the public would be able to avail itself of the power of resorting to the mint for the conversion of bullion into coin. But it will be able to avail itself of that power under the operation of this plan at as early a period as could reasonably be expected under any plan for the simple resumption of cash payments. In the interval the currency must consist (as it has long consisted) of paper alone; but, from the moment this plan begins to operate, this paper would have what it has not had since the Bank restriction, and what it could not have in the interval preceding a simple resumption of cash payments, a metallic standard for its regulator. The holder of large sums in notes would indeed have the power of converting them into bullion at a fixed price by presenting them at the Bank; but the holder of a small sum in notes has not now, and could not have, the power of converting it into coin, under circumstances when, as has been before stated, no coin could remain and circulate in the country. The latter, therefore, is exposed to no disadvantage whatever during the operation of the present plan, to which he would not be exposed during the interval which must precede a simple resumption of cash payments. But he derives from the first moment of its commencement a participation in the security against fluctuation afforded to the holder of large sums.

This detail of the plan now proposed by the Committee will, they hope, be sufficient to explain both its nature and its objects. Above all, they trust it will be manifest that the plan is now recommended by them as a temporary measure, as the mode which appears to them at once the most desirable, and the most effectual for the attainment of the object which parliament has in view,—the restoration of our currency to its ancient standard of metallic value. They think it probable, as they have already stated, that this object may thus be attained at a period comparatively earlier than that for which they have ultimately provided. But they entertain a confident expectation, that in this mode it will be effected at that period, if not before, and with the least practical inconvenience to any of the interests which it may effect.

After the attainment of this first and great object, many important questions will still remain to be determined by the legislature, respecting the system on which our currency, when regulated by a metallic standard, may in other respects, with most advantage, be ultimately and permanently founded. But in these points the Committee think they should have exceeded the limits of their duty, if they had ventured at the present period even to form, much more if they had submitted to parliament, any final or decisive opinion.

Whether the whole of our circulation and currency shall thenceforth be replaced either entirely on its ancient footing, or with what degree of alteration, particularly in respect of the smaller notes, the issue of which was formerly prohibited; whether the payments of the Bank shall be made at their option in bullion or in coin; or those payments continuing to be made in bullion only, the mint shall be open to the public for coining such bullion into gold coin, with or without a seignorage or brassage; or whether, with a view to realize to the country a profit equal to the whole value of the gold employed as dead capital for the purpose of circulation, an endeavour shall be made to confine the whole of our currency (except for the small payments now made in silver) to paper only, but to paper regulated by convertibility into bullion; these, with the numerous details connected with and dependent on them, are points, upon which the House will find much useful information in various parts of the evidence contained in the minutes, and upon which the Committee are satisfied that a better judgment than can be formed at present, will be derived from the experience of the operation of the plan immediately in question.

With respect to the decision to be taken as to the future circulation of the smaller notes, the Committee are fully sensible that all views of expediency or profit in this respect must be combined with another most important consideration, that of the comparative facility with which such paper, or the coins for which it is substituted, may respectively be counterfeited. This point is essential to the success of any measure on this subject, and it is of great weight in the opinion of the Committee, as connected with the comparative degree of temptation or encouragement, which any of these systems may afford to crime, and the consequent necessity of frequent and severe punishment.

Under these impressions, the committee have endeavoured with much anxiety to obtain information as to the progress and probable results of the inquiries which have lately been made, under the authority of his majesty's commission into the means of preventing or rendering much more difficult than at present, the forgery of Bank paper. They have learnt that these results are not yet sufficiently matured to be brought with this view in a complete shape under the consideration of parliament; but they find that the very able persons whose attention has been so beneficially employed in the examination of this subject, entertain sanguine expectations that the principles which they have adopted for this purpose will, in their application, provide, if not a complete, at least a much more effective check than has been provided by any means yet adopted for the security of the Bank and of the public. In so far as the Committee has felt itself competent to judge of the probable operation of those principles, they fully partake in this hope; and it is much strengthened by learning, from the testimony of the governor of the Bank of Ireland, that the application even of a part of those principles has been found there, in a very great degree, effectual for that purpose.

There is another point to which the committee think it of great importance that parliament should advert. The large amount and nature of the advances made by the Bank for the public service, have been stated, on different occasions, as opposing considerable obstacles to the measures which would otherwise have been adopted by the Bank; and the plan now recommended essentially depends upon a previous reduction of them. But the inconvenience of this mode of habitually providing for the public exigencies, to so great an extent, is not merely temporary. It involves principles of considerable moment, with reference to the relation in which government and the Bank are thereby placed towards each other. This system is not however of recent date. It had been acted upon to a large extent, for a long period of years, before the first restriction upon the Bank. The amount of the advances appears to have subsequently increased with the succeeding embarrassments of the public service, and the extraordinary exertions of the concluding years of the last war naturally produced an unprecedented extension of them. A considerable reduction of these advances has since been effected, and a still farther diminution of them is recommended in this report. It will be for the wisdom of parliament to determine, whether, in order to guard against the unobserved recurrence of this practice, some permanent regulation ought not to be established, extending the very narrow restraint, under which the Bank was originally placed in this respect; but imposing some new principle of limitation, so as on the one hand to allow the Bank such a free use of its capital, as might enable it (as it appears to have done previously to the Bank restriction) to invest either the whole or some limited proportion thereof, if not demanded for commercial discounts, in the purchase of government securities, and on the other hand to prevent it from engaging in such purchases for the accommodation of government, when its own convenience or interest did not require them, or from entering into any engagement, express or implied, which shall prevent its bringing those securities freely into the market. It is obvious, that in imposing any new principle of limitation, exception must be made for cases of great emergency, to be stated to parliament, and provided for by its express authority.

Whatever may be the decision of parliament upon all or any of the measures now in contemplation, the committee think it will be desirable to repeal the laws which prohibit the melting and exportation of the coin, and which enact that all bullion intended for exportation shall be sworn to consist of foreign gold or silver. The policy of these laws has long been held by the best writers on the subject to be at least dubious. From the nature of the article, so portable and so easily concealed, they could hardly be expected to be efficacious, and experience has abundantly proved their inefficacy, notwithstanding the existence of these laws, the whole, or nearly the whole of the gold coin of this kingdom, amounting, probably, to between 20 and 30 millions, has entirely disappeared, and scarcely a remnant now remains of the sovereigns which were issued in the year 1817. The prohibition, indeed, adds something to the difficulty, and consequently to the expense of exportation, and may therefore be supposed to operate, in some degree, as a seignorage upon our coin—but it is a seignorage perpetually varying, according to the greater or lesser facilities for smuggling which may at different moments exist, and affording therefore an uncertain, and in point of fact, an inadequate protection.

The means also, by which this protection is afforded are highly objectionable, there being no possibility of distinguishing between bullion produced by the melting of foreign or of English coin. The only security is that of an oath; and the law, therefore, has no other operation than to offer a great, and, as experience proves, a successful temptation to perjury.

Even upon our ancient system of coinage, in which the value of the metal in coin is equal to that of the metal in bullion, and the whole expense of the coinage falls upon the public, it may be doubted whether the prohibition does not increase rather than diminish that expense; although the latter was probably one of the chief objects which the law had in view. As our coin is now either melted previously to exportation, or melted in the country to which it is exported, because it is not there known or current, when it returns, it returns in the shape of bullion, and if the mint is open, and the price such as to make it worth coining, it is carried to the mint and coined at the public expense. Whereas, if our coin were legally exportable, it would probably return into this country as coin, whenever the state of the exchanges rendered it a more profitable remittance than bills or merchandize. No country in Europe has maintained so large a metallic currency as France, without any prohibition upon the melting, the export, or the sale of the coin.

The Committee cannot conclude their report without adverting to the opinions which have been expressed and very fully explained by some of the witnesses, that the present regulations of the mint for the coinage of silver must of themselves occasion a perpetual drain of gold from this country, and thereby oppose an insurmountable obstacle to the resumption of metallic payments by the Bank at the ancient standard of value. These opinions have been directly and strongly controverted by other witnesses. The committee more particularly refer to the evidence of Mr. Page and Mr. Fletcher on one side, and Mr. Mushett on the other; and to a paper received from the master of his majesty's mint: but much important information on this part of the subject may likewise be collected from the testimony of others, whose sentiments and authority upon such matters must be of great weight. The Committee being fully sensible, that if the opinions of the two first witnesses be well-founded, any attempt to remove the restriction upon the Bank must prove ineffectual, unless the mint regulations for the coinage of silver were first altered, according to the principle upon which that opinion appears to be founded, have given this part of the subject full consideration; and they think it their duty to state, that they see no ground to apprehend that the present mint regulations respecting the silver coinage, so long as such silver coin shall not be a legal tender beyond the amount of forty shillings, and the mint shall not be open to the public for the coinage of that metal, will oppose any obstacle to the successful execution of the plan, which they have ventured to recommend.

The House will find, in various parts of the evidence, and in the Appendix, a great mass of valuable information, illustrating not only those points which the Committee have dwelt upon in their report, but also many other points of considerable importance, to which they did not think it necessary to advert. They have judged it best to confine themselves as much as possible to a practical view of the question referred to them by the House, and to rest the proposal which they have brought forward upon grounds which might recommend it sufficiently, if not equally, to persons widely differing in opinion upon many of the considerations involved in any discussion upon so extensive and complicated a subject.

The Report was ordered to be printed. After which, the earl of Harrowby stated. that it was his intention to propose some resolutions founded upon it, on Thursday se'nnight.

Earl *Grey* urged the propriety of giving more time for the consideration of the report, before bringing forward any propositions on the subject, if it were merely to preserve the appearance of decency; it being impossible that a report, with the appendices, which had taken the committee three months to deliberate upon and arrange, could be fully considered by their lordships within the short period allowed by the noble earl, previous to moving his proposition: add to this, the vast importance of the question, extending as it did, into so many ramifications of detail, and affecting so materially the public interest. The House, besides, might pledge itself with respect to general principles, whilst the House of Commons, in which any legislative measure upon the subject would originate, might come to a different conclusion, and thus the two

Houses might be placed in the very embarrassing situation of holding conflicting opinions upon a question of such great and general importance. He trusted, therefore, that the noble earl would not object to afford more time for the consideration of the report. He suggested also, that it would be a great convenience if the noble earl would communicate to the House the nature of the propositions he intended to move.

The Earl of *Liverpool* could not see any just ground for postponing the consideration of the report beyond the day mentioned by his noble friend; on the contrary, he thought it of the greatest importance that the earliest possible period should be chosen for bringing on this question, involving as it did so many considerations of the highest public interest. With respect to what had been said by the noble earl, of there not being time to understand the report, the fact was, that the question would be best understood after it had been discussed in that House. As to the mode of bringing on the discussion, he contended, that upon all questions of great public importance, it was by far the best course to discuss the principles which were to form the groundwork of any legislative measure respecting them, previous to bringing forward any legislative enactments. This had been the course adopted with regard to the Irish propositions, and the renewal of the charter of the East India company, and the advantages of it were, that all the bearings of the question could be ascertained with much more accuracy by both Houses, than by coming at once to the consideration of legislative enactments. As to the propositions, he had no doubt his noble friend would communicate the nature of them to the House, previous to bringing on the discussion.

The Earl of *Harrowby* expressed his readiness to communicate the nature of his propositions to the House previous to the discussion, but saw no reason for postponing that discussion beyond the day mentioned.

The Marquis of *Lansdowne* agreed that it was right to fix the earliest day possible for going into the discussion. The public were so deeply interested in the question, that he thought it was due to them that no time should be lost in giving to it all the consideration it could receive in that House, and at the same time imparting to the public all that information respecting the subject which must of course be derived from its being discussed by their lordships. It did not however follow, that the day mentioned was to be irrevocably fixed, as if it should be found in the interval advisable to postpone it; the noble lords on the other side would doubtless not object to that postponement.

The Earl of *Lauderdale* reminded their lordships, that the committee, whose report was now before them, had sat nearly three months before they had come to the opinion submitted to the House. Their lordships saw the size of the report which lay on the table; from its bulk they might conjecture what a mass of evidence they had to wade through; and yet the noble earl proposed to allow only ten days for the consideration of that evidence. He spoke in the hearing of the members of the committee, and he was certain that no noble lord who had sat on it, and recollected what had been the state of his mind during that inquiry, would say that by Thursday se'nnight his just opinion could be formed on the evidence. He must indeed declare, that to allow only the short period of ten days from the printing to the consideration of the report would be an absurdity. There was a great variety of other business before the House, and if any noble lord thought, notwithstanding the various subjects in which his attention might in the mean time be called, that he could digest all the evidence attached to this report in the course of ten days, that noble lord must have a very different idea of the nature of the inquiry from that which he had by experience found it to be. The noble earl said, that the public mind would be best settled by the discussion of the subject in that House. This was true; but that noble earl ought to recollect, that if the public looked up to the decision of that House on the present or any other subject, it was because they believed that their lordships took sufficient time to form an accurate opinion. He would take upon himself to assert that, no individual, though accustomed to the consideration of subjects of this nature, no merchant in the city of London, would say, that it was possible so to digest the evidence of this report in ten days, as to give an opinion upon it. How, then, could it be expected that their lordships, many of whom were altogether unacquainted with the subject, should make up their minds so quickly—should come so rapidly to a decision on questions of the most important nature ever submitted to the consideration of parliament? The noble earl had drawn a distinction between the consideration of the evidence and a decisive result; but, for his part, he was at a loss to understand how any resolutions could be framed, that were to have no result, and to pledge their lordships to nothing. What he was afraid of was, that it was the intention of the noble lords opposite to pledge the House, in some way or another, to certain results of the committee, one of which was of a nature more novel than any thing that had ever entered into the brain of the wildest theorist. Ten days did not appear to him a sufficient time for examining the report, and if a course of precipitation was to be adopted on this occasion, their lordships would deprive their deliberations of that high character which they had hitherto held in the estimation of the public.

Earl *Grey* had no expectation of being able to form a proper opinion on the report by Thursday se'nnight, and must once more appeal to the candour of the noble earl opposite for farther time. He was willing to allow the full truth of all that the noble earl had said as to the advantage of discussion with respect to its effect on the public mind; but then, for that discussion to be useful, it must be the discussion of informed persons, not of men who were denied time for deliberation and reflexion. The members of the committee, who had been three months pursuing the investigation, might be expected to come prepared to give an opinion; but was it reasonable to ask this of those who were as yet unacquainted with the subject? Where was the necessity for so much haste?

Lord *Redesdale* understood that it was not meant that the general discussion of the subject should take place on the day chosen by his noble friend, but merely that an opportunity should then be afforded for comparing what was proposed to be done with the evidence, and of considering how far the evidence supported what was stated in the report. In that case, it would probably be found most convenient merely to move the intended resolutions, and appoint a future day for their consideration.

Earl *Grey* intimated, that he should be perfectly satisfied if it was only meant to open the discussion on this day fortnight, and afterwards, to fix a day for the discussion of the resolutions.

The Earl of *Liverpool* concurred in the opinion that it might be advisable for his noble friend to open the subject to their lordships some days previous to this day fortnight, but that day was the latest he could contemplate for the general discussion of the resolutions.

Earl *Grey* regarded the previous opening of the subject by the noble earl as of little value, if their lordships were to be limited to ten days for the consideration of the report. The noble earl was master of his own day for his motion; but he now gave notice, that if a farther time was not allowed, he should as soon as the resolutions were proposed move to adjourn the debate to a future day.

The consideration of the report was then fixed for this day se'nnight.

## HOUSE OF COMMONS.

### *Friday, May 7.*

GRAND DUCHY OF BADEN.] Mr. Sinclair said, that he was desirous on this occasion to put a question to the noble lord, which he had been prevented, by want of a proper opportunity, from asking at an earlier period. It related to a transaction which had excited considerable interest, not only in this country, but throughout the whole of Europe. A treaty had been entered into between the courts of Munich and Vienna, for effecting, in behalf of the former, an eventual dismemberment of the grand duchy of Baden; and it was understood that this arrangement had received the sanction of several other powers. In order to avert this calamity from his subjects, the late grand duke of Baden executed a formal deed of settlement, by which he declared his dominions to be indivisible, and called to the succession a regular series of heirs. He (Mr. S.) therefore wished to know from the noble lord, whether this solemn act had been considered and recognised by the congress at Aix-la-Chapelle, and whether the courts which had entered into a conspiracy for despoiling a defenceless ally, had been induced to renounce this unjustifiable design?

Lord *Castlereagh* replied, that if the hon. member would wait until the treaties connected with the territorial arrangements of Europe were before the House, he would be better enabled to form an opinion on this subject. In the mean time, he could assure him, that no such communication as he had alluded to, was made to the congress at Aix-la-Chapelle.

Electors Oaths Bill.] Mr. *W. Williams* rose to move the second reading of this bill. After every consideration that he had been able to give the measure, he felt assured that his bill went neither to alter the mode by which members were seated in that House, to impair the rights of individuals, nor to disturb any species of property. Its object was solely to make that illegal which was acknowledged to be *prima facie* fraudulent, and to extend to boroughs the same principle which was so salutary in the election of representatives for counties. It demanded that a legal consideration should have been paid, and that the party voting should have actually the freehold in his possession. The fraudulent practice of splitting freeholds first took place in the reign of Charles the 2nd, at the period of the Popish plot, when the Presbyterians, inflamed with deadly animosities against the Papists, introduced, for political purposes, that practice; but its introduction was considered by the highest authorities of that day as illegal and unconstitutional; and on a cause tried at Kingston before lord chief justice Pemberton, that learned judge declared it to be a practice contrary to the principles of the common law, and subversive of the purity and dignity of parliament. In the reign of James the 2d, the practice was renewed, as a means of enabling that monarch to effect his favourite object of restoring Popery. Thus it was that the two parties, with objects so opposite, had recourse to the same fraud to accomplish their respective ends. The evil had so much increased, that in one county, on the eve of an election, 500 fictitious and fraudulent freeholders were made. The Act of Anne checked its progress, and since the passing of the 19th of George the 2nd, he believed there was no instance of any of these occasional and fraudulent votes being allowed at elections for counties. Why, then, should such a practice be tolerated for boroughs? On what principle could a distinction be made? And yet no man could deny that the practice existed in these places to a considerable extent. It might be said in answer, that it was open to the party complaining to prove such votes fraudulent before a select committee of that House. The hon. member then proceeded to state circumstances within his own knowledge some years ago, to prove that such a mode of redress was inefficient. With the greatest respect for the House of Commons, the guardians of the liberty of the people, he must say that election committees frequently came to a decision not consonant to the law of the land. Was he wrong in trying to get rid of such practices? Was he wrong in trying to establish as a principle, that all who voted at elections should have *bona fide* votes? The remedy which he proposed was not new. There was some approach to it in the reign of Anne, and there were two acts of George the 2nd, which got rid of the evil as far as counties, and towns which were counties in themselves, were concerned. His object was to extend the operation of those acts to every borough in the kingdom. Who would say that such a proposition was adverse to the constitution, or to the principles of law? He knew there were persons who thought that there was something peculiar in what were called burgage tenures, which ought to exempt them from the operation of his bill. He really could not understand why they should be so exempted. Why should members of parliament be returned in any place by illegal means? Let the legislature, however, expressly declare that, and he should be satisfied. For himself, he thought those burgage tenures the greatest blemish in the constitution, and subversive of the rights of the people. It could not be expected, therefore, that with such an opinion he should introduce the exemption in the bill, but if the bill were allowed to go into a committee, and the sense of the committee should appear to be in favour of taking the burgage tenures out of the operation of the bill, he would not oppose it. The oath that he proposed was not a new one. By the 25th of the king, an oath was prescribed, of which that which he now proposed was only an alteration. All that he wanted was, that the oath should state distinctly, in virtue of what right the individual taking it was about to vote. At the present moment when the public mind was so much agitated on the question of parliamentary reform, he intreated the House to consider what a support and what a handle they would give by the rejection of such a measure to those who, under the pretence of reform, wished to overturn the constitution. Although he objected to all speculative and wild schemes, he gloried in being a parliamentary reformer to a certain extent, so that the people should have their due influence, and the prerogative its fair weight. In conclusion, he entreated the House not to reject a bill which would remedy a great evil, and was founded solely upon a practical view of necessary amelioration.

Mr. *Davies Gilbert* complimented the hon. member on the bold and manly manner in which he had treated the subject; and which rendered it, on the first view of the question, difficult to see what objection there could be to the adoption of the bill. The bill purported not to make any alteration in the existing law of the land, but only to render it more effectual. To one provision of it, indeed, he saw no objection, namely, that which required every proprietor of a house or other property coming to vote at elections, to state the particulars of his right, the nature of the tenements on which it was founded, the *locus in quo*, and so forth. But his objections to other parts of it were most decided, for the bill in fact went to an entire subversion of one essential part of the constitution of the kingdom. He alluded to the most material and radical alteration it intended to make in the rights of voters in burgage tenure boroughs. It was known that according to the present practice, any one possessed of burgage tenure property to a sufficient extent, was permitted to give his vote, without the qualification of having been in possession a certain time before. Now, the bill went to make that qualification necessary. The hon. gentleman said, very candidly, he had a dislike to that mode of exercising the elective franchise. He (Mr. Gilbert), however, undoubtedly looked upon it as one of the essentials of our excellent constitution He contended, that that assembly did virtually represent the people of England, and that the interests of all classes were there effectually protected. But he thought it one of its principal excellencies, that, while it represented the people, it never yet consisted of a direct delegation from the whole body of the people. It was not possible that such a House—a House composed of delegates from all the nation—could co-exist with the remaining branches of the constitution, unless it were to be kept in awe and order by a military force. He was persuaded either that the execution would prevail by means of a military force, or that the delegated body would overthrow the monarchy. Foreigners and theoretical writers were fond of imagining that there was a balance in our constitution of parts opposite in views and interests. Such a balance he esteemed wholly visionary, or if there was any balance, it was to be found in the elements of the House itself; and he asserted, that the balance was effected through that part of the representation which came from the boroughs in question. He supposed that, after the strong manner in which the hon. gentleman had expressed himself of burgage tenures, as that they were a scandal and a disgrace to the country, he would scarcely give up the provisions of his bill which respected them. Unless, however, the hon. gentleman would consent to take away the provisions to which he referred, he thought he should best discharge his duty by taking the sense of the House on the motion. He begged leave to repeat, that he did not object to that clause of the Bill which called on an elector to explain the foundation of the right on which he wished to vote, though, perhaps, it would be difficult to say how far it was applicable to burgage tenures; and certainly it would be embarrassing for the tenant in all cases to say whether he tendered his vote in right of freehold or burgage tenure tenements. Undoubtedly, all the objectionable parts to which he had adverted, might be removed in the committee, and he therefore trusted the hon. member would declare whether, if the House agreed to the motion, he would consent to introduce such amendments as he had hinted at.

Mr. *Williams* said, that thinking as he did of burgage tenures, it could not be expected that he should himself exempt them from the operation of the bill; but if in a committee the sense of the House should be adverse to that part of the bill, they might deal with it as they thought proper.

Mr. *Brand* maintained, that the system of nomination was one of the greatest blots on the constitution. He thought the hon. mover's proposition perfectly fair. Let the bill go into a committee, and then let the hon. member for Bodmin propose to take the nomination boroughs out of the operation of the bill. Besides, it should be considered, that the provisions of the bill were applicable to other descriptions of franchise besides burgage tenures, to the correction of the irregularities attendant on which he supposed the hon. gentleman opposite had no objection. It was, in his opinion, the duty of the House to go into a committee on the bill as a declaration of general law; and it would then be for the hon. gentleman to point out what he thought ought to be the exceptions.

Mr. *Courtenay* said, that if the Bill was to pass, they were to assume a defect existing in the law, which it was not at all clear was so. At common law, occasionality, if made out, was decisive against the right of voting. His objection was, that that being so, it was not prudent to introduce a doubt respecting it, and, by a side-wind, to make a material alteration in the existing law regarding the exercise of the elective franchise. The bill enacted, that a person claiming to vote in right of a freehold should not be permitted to do so, unless he made a declaration, that he had been in possession a certain time before. He objected to that enactment, because he thought it was law already. The question was, was it prudent to make that law in the case of burgage tenure, which was law in the case of freehold? He thought the Bill unnecessary. When it was said that occasionality was against the general law of the land, he was aware, it might be urged, that that was not so, as the legislature had, at no very distant period, interfered, and enacted laws against it. But all the legislature did was, to explain the law, and supply certain deficiencies. Voting on burgage tenure property, in the mode referred to, had been so long acquiesced in, that it now formed a part of the law of the land. The learned member then moved, as an amendment, "That the bill be read a second time this day six months."

Mr. Serjeant *Onslow* maintained, that the learned mover of the amendment had been inconsistent with himself, having first argued that the bill was unnecessary, and then admitted that parts of it might be made the subject of a separate measure. He would support the bill, on the ground that it only called on the voters to give certain criteria, in order to afford the means of ascertaining whether or not the general principle of the law against occasionality had been violated.

The question being put, "That the bill be now read a second time," the House divided: Ayes 46. Noes 127. The second reading of the bill was then put off for six months.

New Post Office.] On the motion for going into a Committee of Supply,

Mr. *R. Gordon* desired, before the Speaker left the chair, to put a few questions to an hon. friend of his opposite, relative to the New Post Office. There had been already expended, in preparing the site of that edifice, the sum of 238,000*l.*—a sum of such magnitude, that during the last parliament he had called the attention of the House, or if not of the House, at least of the country, to it. This scheme, which, on its first agitation, had been a mighty favourite with the hon. secretary of the treasury, though he had now perhaps repented of it, had been originally brought forward in the year 1814, just one year before the system of economy commenced. The questions which he wished to ask, referred to the manner in which the 238,000*l.* had been expended for the ornament, accommodation, and convenience of the city, and the estimate of the expenses which were hereafter to be incurred. He had heard that the city of London was to pay one-third of the whole expense; but that was totally impossible. The only way in which they could attempt to do it, would be by the duties on coal and on wines, or by taking from the Orphan fund. That plan, however, would also be insufficient; so that he had no doubt that not merely the sum of 238,000*l.* already expended, but also 158,000*l.* which he heard was to be expended, would come out of the pockets of the people. He would also call the attention of the House to the manner in which the edifice had been ordered to be constructed. The secretary of the treasury and the chancellor of the exchequer had assured the House, on proposing the measure to its notice, that there should be a fair competition among architects for its plan; that there should be no favoritism, no partiality in the selection of the plan; in short, that there should be no job in the execution of it. In addition to this assurance, there was the report of one of their own committee containing a similar declaration. Such were the declarations of the first advisers of this scheme; and he therefore thought, that he was only seconding their intentions in preventing the erection of this new building from degenerating into a job. Now, he had heard that the architect of the post-office had sent in a plan to the secretary of the treasury, and that the secretary of the treasury had transmitted it for their approval to the commissioners of the board of works. He did not say that this was fact, but he wished to know whether the competition of architects was no longer to be allowed.

Mr. *Lushington* stated, that until all the buildings were pulled down on which the new post-office was to be erected, it was quite useless to take any plan into consideration. Preparatory steps had lately been taken to promote a competition of architects. When it was recollected that 7 or 800 individuals were to be accommodated in the new office, the selection of a plan ought not to be made in a hasty manner. He could inform his hon. friend, that what he had chosen to denominate a job, would be not more an ornament than an accommodation to the city.

Mr. Alderman *Wood* observed, that whatever money might be wanted for the new post-office, ought very properly to be defrayed by the public, as it was an absolute convenience for the carrying on of business. The city of London would pay 10,500*l.* a year towards this expense as long as the orphan duty remained.

Sir *J. Newport* said, the best mode of producing a good plan would be by exciting a free and fair competition of artists.

Mr. *Lushington* had no hesitation in promising that that would be done.

ARMY ESTIMATES.] The House having gone into a Committee of Supply,

Lord *Palmerston* said, in rising to move the Army Estimates for the present year, he should not trespass long on the attention of the House. The report of the committee of finance on this subject was so full, and so minute in its details, as to leave very little to state by the person who brought forward the estimates. Upon a general view of the numbers of the army for the present year, as compared with the number of men voted last year taking, in the first instance, the permanent establishments of the two years, and leaving out the troops in India and in France, there would be found a diminution of 9,800 or in round numbers of 10,000 men. Upon a general view of the whole of the estimates of last year and the present year, there appeared to be a diminution in the present year of 26,042 men. This was the amount of the reduction of force which had actually been effected since the estimate of last year. From this diminution of numbers the House might be led to expect a considerable diminution of expense; but the House would recollect, that the expense of the troops employed in France was chiefly defrayed out of the contributions received from France; and that on their return to this country, after the allied troops had withdrawn from France, the pensions and half-pay of the officers necessarily became a burthen on this country. He should state to the committee the amount of the increase and decrease in the estimates of the ordinary services of the army in the present year compared with the last:—The increase in 1819 amounted to 362,194*l.* 7*s.* 9*d.* The decrease to 273,359*l.* 9*s.* 4*d.* Leaving an increase for 1819 of 88,834*l.* 18*s.* 5*d.* In point of fact, however, there was only an increase of 58,000*l.* In the charge of the present year there was included 203,254*l.* 11*s.* the charge for the reductions of the regiments intended to be disbanded in the course of the year. The whole of this charge, however, was not of a temporary nature, for a part of it would continue after the reductions had taken place. After allowing, however, 58,000*l.* for half-pay and Chelsea pensions, the remainder would be a saving to the country; and it was to be recollected that this sum of 58,000*l.*, the amount of the pay and pensions for the present year, would merge progressively into the reductions. If we looked at the whole expense of the establishments included in the estimates, and those included in the estimates of last year, there would be found a decrease of 763,000*l.* But this of course included the army in France and the army in India, which could be considered a saving to this country. But then it was proper to view this, not merely with reference to the expense, but also with a view to the diminution of the patronage and influence of the Crown; and in this point of view a reduction of 763,000*l.* from our expenditure was of very considerable importance. It was not necessary for him to go minutely into the causes and amount of the differences between the ordinary services of the army in 1818 and 1819, as a very full statement on this subject would be found in an appendix to the report of the finance committee. In the first class, which comprised the whole of the active and effective army of the country, the land forces, the staff, the public departments, medicines, and yeomanry corps. In this first class there was a decrease of 272,000*l.*, as compared with last year. On the land forces there was a decrease of 263,000*l.* produced by the reduction of 9,800 men. On the staff there was an increase of 2,236*l.* But it was proper to state, that this increase did not arise from that part of the staff called the military; for there was one general officer less this year than in the last. The increase arose in the medical staff. When government first revised the medical staff some years ago, it was but justice to state, that the reductions ordered on the medical staff, appeared to the head of the medical department greater than he thought necessary. But it was thought advisable by the government to carry the reductions into effect, and to leave it to the commanding officers of the different stations to ask for an augmentation if it should be found necessary. Accordingly, various representations had been made by the commanding officers on foreign stations, in consequence of which augmentations had been ordered, which occasioned the increase of 2,236*l.* In the allowance to the principal officers of the several public departments there was an increase of 4004*l.* But this increase arose chiefly from 1000*l.* for clerks employed in consequence of a temporary pressure of business, and from additions of 821*l.* 5*s.* 6*d.* the grant of allowances to the deputy-paymasters lately employed with the army in France, on the disbanding of that army. The increase of 4004*l.* might be said to consist of three branches.—First, temporary charges; secondly, half-pay in consequence of reductions; and thirdly, the transfer from the extraordinaries of 1,700*l.* the charge of the military branch of the public departments in Ireland. Under the head of medicines, there was a diminution of 8,600*l.* This was occasioned by the return of the army from France, by which the medical stores of that army were made available. On the volunteer corps there was a diminution of 1,872*l.* This arose from the diminution in the charge for the Irish volunteers; for, in the English establishment, there was a small increase, in consequence of the augmentation voted last year to the yeomanry cavalry of this country. Taking together the various sums of increase and decrease, there remained a diminution on the first class of 272,000*l.* With respect to the second class, it was not necessary for him to enter into any particulars now. The expense of the troops in India, as the House knew, were charged on the India company; for though it was charged in the first instance on this country, it was ultimately paid by the East India company. In the third class, which comprised the half-pay, pensions, *&c.* there was a considerable increase. In the military college, one of the heads, there was a diminution of 340*l.* In the item of garrisons there was an increase, as compared with last year, of 259*l.* In the article of pay for retired officers and unattached officers there was a decrease of 5,371*l.* In the charge for half-pay and military allowances to reduced officers, there was an increase of 87,398*l.* This increase arose from the reductions which had taken place. In the half-pay of the foreign corps however, there was a diminution of 6,635*l.* In the charges for Chelsea and Kilmainham Hospitals there was an increase of 121,325*l.* But this sum could not properly be considered all increase; for 30,000*l.* was taken in 1818 from the unclaimed shares of prize money, in aid of the charge of out-pensioners, and none was taken in the present year; and 14,257*l.* 18*s.* was taken last year from the poundage on out-pensions, making together 44,000*l.*; so that the real increase was only 77,000*l.* In the military asylum there was an increase of 3,631*l.*; but this arose entirely from the increase in the price of provisions which were supplied by contract. In the widows' pensions there was an increase of 5,247*l.* In the compassionate list there was an increase of 6,726*l.* In the superannuation allowances there was an increase of 2,965*l.* arising from the reductions which had been in the establishments in the commencement of the year. It might be satisfactory to the House, on stating this increase, to know what had been the effect of the reductions which had taken place in the official establishments in the years 1816, 17, 18, and 19.—The reductions, on the whole, were 24,954*l.* from which the retired allowances fell to be deducted, leaving a saving of 11,262*l.* There was this farther consideration, that the appointments having been abolished, the remaining expense would only continue during the life of the persons enjoying the allowances. He wished, before proposing any resolution to the House, to draw their attention to that part of the Report of the Committee which related to the proportions between the charges for the active and the charges for the inactive heads of service. The whole of the estimates for the present year amounted to 6,379,548*l.*—Of this sum, the charge for the effective part of the army amounted to 3,503,337*l.* leaving 2,876,210*l.* for pensions and other charges. In calling the attention of the House to this, it was far from being his intention to insinuate, that that part of our expenditure was either improperly or unfairly incurred. The pensions were first, for those officers whose professional prospects were closed by the very victories they had achieved; and next, for officers and men crippled in the service; and lastly, for the widows of officers fallen in the service. These were claims that he was sure a British House of Commons would always be led to respect. He knew how averse the House and the country were to all manner of charges, however trifling in amount, of which they did not see the justice or the necessity; but expenses necessary to the national honour and character, however heavy, were always willingly borne. With respect to the charges for the active and effective part of the army, he should proceed to state the effect of the reductions effected in the last two years. If they compared the permanent force remaining after all the reductions effected, with the force on foot—in the beginning of 1817 there would be found a reduction of 41,298 men, and a decrease of charge of 1,336,000*l.* If they went back one year farther, and compared the army after the reductions with the amount of the estimates of 1816, the reductions would be 62,982 men, and the decrease of charge, after allowing for the increase of half pay, 1,566,000*l.* He should not detain the House longer at present, but proceed to move the various Resolutions. The noble lord then concluded with moving,—"That a sum, not exceeding 258,776*l.* 11*s.* 2*d.* be granted to his majesty, to complete the sum required for defraying the charge of his majesty's land forces, for service in Great Britain, and on the stations abroad (excepting the regiments employed in the territorial possessions of the East India company), from the 25th of Dec. 1818 to the 24th of Dec. 1819, both inclusive, being 365 days."

Colonel *Davies* conceived that a saving might be effected in the estimates of 120,000*l.* It was not his intention to enter into any detail on the subject now; he should merely observe, that the saving might be effected by reducing two regiments of cavalry and a certain number of regiments of infantry, and retaining the reduced troops in the other regiments. By reducing three regiments of cavalry, without affecting their effective force, a saving of 50,000*l.* would be produced. By the reduction of 15 battalions of infantry, a saving of 90,000*l.* might be effected. He should not now take the sense of the House on the subject; but when the report was brought up, he should move, that 120,000*l.* less than the sum then mentioned be granted. He could not help expressing his astonishment at the increase of the staff, and particularly when he compared the staff of Ireland with that of this country. In England, Scotland, Guernsey, and Jersey, there were seven general officers, exclusive of the commander in chief, and the heads of departments. In Ireland, there were no fewer than eleven general officers. The smaller staff was attached to the larger force. In this country there were 25,000 men, while in Ireland there were only between 17 and 18,000. He really did not see what called for this increase. The detection of smugglers was not a duty on which general officers could be employed. With respect to the military college, as far as he knew, it was of very little use. He himself was at the military college before he entered the army. We were then at war, and there was a constant drain from it for the army. Then, however, the number of cadets were only about 200, whereas now there were upwards of 300. What necessity was there for such a number of cadets, when there were so many officers on half pay who had a claim to be restored to the service before the reception of a single cadet? These young men were kept there at a considerable expense to themselves. It seemed to him as if a pretence only was wanted for keeping up this enormous establishment. He should not, however, enter farther into the subject at present, but when the report was brought up he should show how the saving of 120,000*l.* might be made, and propose a deduction to that amount from the estimates.

Mr. *Hume* said, that the objections he had to make on the present occasion to some parts of the military estimates, would not, he hoped, be considered as in any way reflecting on the army. No man in the House was more sensible of the merit of the army, and of their gallant and glorious exertions to place this country in the high and commanding position in which it now stood. It had defended our rights in the most perilous times, and raised the glory of the country in an unexampled degree; but, on the present occasion, he had a duty to perform, as a member of the House, which was paramount to every other, to endeavour to lessen, if possible, all unnecessary expenses to the nation in its present condition. He thought, that, after the exemplary patience with which the people of this country had borne the great expenses of a long-continued war, they had a right, now that we were at peace, to expect such a reduction of the expences, as could be made without diminishing the force actually necessary for the safety and protection of the state. He was not one of those who thought a standing army should be entirely disbanded in time of peace; but he considered it important, that it should be as small as possible, and regulated only by the exigency of the times, not by comparison with times of war, and of extraordinary exertions. As to the numerical force proposed to be kept up, he thought it too great, but he should not offer any opinion as to what ought to be the exact number. He thought, that in considering the number, reference should be had to the amount of former peace establishments, to the circumstances in which the world is placed as to the distant prospect of war, and not by comparison with what force had been maintained during the three past years; and he must say that in the present state of the country 3,503,337*l.* appeared to be a large sum for the efficient troops of a peace establishment. Highly as he respected the noble lord, the chairman of the finance committee which had laid a report on the estimates of the army for this year on the table of the House, he could not agree with the noble secretary at war, in the eulogium passed on the noble lord and on the labours of the committee on this occasion. He had to offer an opinion, certainly with great diffidence, but he believed that it was an opinion very generally adopted, that the finance committee had not on the present occasion fulfilled the expectations which were entertained of it. Their report on the table, as far as he could judge, was only a compilation and comparison of returns and accounts, which had been laid before the House, as called for from the public offices, and which any accountant might have easily prepared. The comparison of the establishment, and expense of the present year had been made as between those of 1817 and 1818, and in some of the establishments between those of the year 1814, a year of the greatest exertions this or any country had ever made in war, and which he believed could ever again be equalled. He had expected, that the Committee, in considering a proper military establishment for the fourth year of peace, would have had reference to the peace establishment of 1792, and not to a comparison with the estimates of 1814, or 1818. He was well aware, that we could scarcely expect to return to the military establishment of 1792, but he had no hesitation in saying, that we ought to approximate as near to it as possible, as the finance committee of 1817 had recommended. The finance committee of the year in their report state, that they avoid giving any opinion upon the numerical amount of the army, for the reasons given in the report upon the army estimates in 1817; and it was somewhat curious, on reference to that report, to find that that committee recommends an approximation to the military establishments of 1792, as absolutely necessary for the welfare of the country in the following words: "Your committee, in making reference to the year 1792, desire to call the notice of the House to the low establishments of the latter part of that year, which was deemed sufficient for all national purposes at that time in the contemplation of a long continuance of peace; and although many circumstances are materially changed by events which have subsequently taken place, so as to prevent any exact parallel from being drawn between the two cases, especially in the amount of pecuniary charge, yet they submit, that as near an approximation to the low scale of establishment and expense, as may be found consistent with our more extended possessions, and with the augmented rates of various fixed disbursements, would be highly advantageous in relieving the burthens, and in supporting the public credit of the country." He could not avoid observing, that the suggestions of the committee of 1817 had not been attended to by the finance committee of this year in any one particular of the estimates, although they had referred to their report as an authority. He begged also to observe, that by the orders of this House to the finance committee, they were to consider and report "What farther measures may be adopted for the relief of the country from any part of the said expenditure, without detriment to the public interest;" but in the whole of the report which the noble secretary at war had eulogized, there were no measures of that nature pointed out. He should only observe, that their report afforded a melancholy prospect to the country, if there was to be no relief from the burthen of taxation, necessarily heavy in war, but which should be lessened by retrenchment and economy, during the opportunity afforded by the return of peace. The noble lord stated a reduction in the amount of several items of the estimates as compared with those of last year, but there was also an increase in other items which rendered the total expense of this year greater than that of last year by 88,512*l.*! This committee had to consider the total amount which the nation had to pay; and it appeared that no reduction had been made in the military expenditure in this year, as compared with 1818 and it was, therefore, a question as to the credit for economy which was due to government for their exertions. It was, indeed, a fact worthy the most serious attention of the committee, that, by the estimate of the finance committee, the expenditure for 1820 would be, within a few hundreds, the same as for the past year. In 1818 the amount was 6,494,290*l.*; in 1819 the estimate is 6,582,802*l.*; for 1820, the estimate is 6,496,700*l.* With an estimated peace establishment of that amount, it behoved the committee to consider what reductions should be made, as he was satisfied several might be effected with perfect safety to the country. He should not detain the committee with any observation on the number of troops, as the hon. member who had last spoken, intended to call the attention of the committee to it; but in the expense of recruiting, and the amount of the staff, there was great room for reduction. The Military College presented itself as particularly deserving the notice of the committee. Its expense for this year being 25,173*l.* He was aware that during the war, when we had 3 or 400,000 men in arms, the college on its present scale might be highly beneficial; but it became a question worthy the serious attention of the committee, whether or not it should be continued on the same extensive scale, in the fourth year of peace, and with the prospect of its continuance. He had no hesitation in stating, that it ought to be very much reduced. It might be said, that the army was supplied with scientific officers from the college, and that it would be very bad policy to cut off that supply. He should prove to the committee, that such an assertion was in reality erroneous, and that the army neither had nor did derive that advantage from it which was generally supposed. There were now 400 cadets at the college, and as four years were required for their education, there should be one hundred a year supplied as officers for the army: But by a return now on the table, which he had moved for, it appeared, that in the three years preceding January 1819, only twenty-five a year had been supplied, making in the whole seventy-six cadets, appointed from the Military College to commissions in the army, from Jan. 1816, to Jan. 1819; so that the country had paid for the education of these 25 cadets, upwards of 1,000*l.* each; and 374 youths had been educated, in the expectation of obtaining commissions, and had been disappointed. He begged leave to read what the finance committee of 1817 had reported to the House respecting the Military College which he regretted had remained so long unattended to: "Your committee cannot however but question the expediency of continuing the establishment on its present extensive scale. They most heartily join in the feelings which would induce parliament to provide for the orphan children of those gallant men who have sacrificed their lives in the service of their country; and also for the children of meritorious officers now actually serving, but if the whole number at present on the establishment are to be provided with commissions, it must unavoidably operate nearly to the exclusion of all other classes from the army. And your committee submit whether such a system would not be in direct variance from what has hitherto been practised in this kingdom; and whether it might not justly be considered as inconsistent with the spirit of the constitution. But if these young men cannot be promoted, it is almost superfluous to remark on the inexpediency, and eventual cruelty, of educating them for stations which they are not likely to fill, and of encouraging hopes that must be disappointed." [Hear.] The next item upon which he should make a few observations, was the half-pay list, amounting to 2,876,210*l*.; which although great, he was confident the nation would, under all its pressure, willingly pay, as the reward of long and arduous services in the defence of the state to deserving officers; but the great amount, and the distressed state of the finances of the country, rendered it the more necessary that it should not be encreased farther, by placing on it new pensioners, who had not served in the war. By a return on the table made up to March last, it appeared that there were 1,663 captains, 3,063 lieutenants, and 1,214 cornets and ensigns on the half-pay list, of whom many would be glad to join the army on vacancies occurring. It appeared that in the three years from January 1816 to 1819, there had been 720 gentlemen appointed to commissions in the army, of which number 294 had been appointed without purchase, (i. e. had their commission given to them) and in the same time, 294 of these cornets and ensigns had been placed on half-pay, at an expense of from 54*l*. to 63*l*. a year; thereby creating an annuity of 16 or 17,000*l*. a year, which might have been entirely saved, by bringing officers from the existing half-pay; and by that means there would have been a double saving, amounting to 35,000*l*. as the half-pay of the officer brought in full-pay would have been saved to the public. [Hear.] If the half-pay of the 598 officers is calculated at twelve years purchase, there had been an unnecessary expense created to the public of about 400,000*l*., and which he contended ought to have been saved. It must be evident that some alteration must be made in this mode of proceeding, equally expensive and ruinous to the nation, as it was cruel and unjust to the officers on half-pay, who would have been most happy to have been placed on full-pay and actual service, instead of those new men who got the commissions, and were, as appears by the returns, soon afterwards placed on half-pay. He knew that it might be considered as an interference with the patronage of the illustrious duke who presided over the army, but it seemed only equitable, that, while every one was suffering some privations, and making some sacrifices, he should forbear to add to the burthens of the country as he had done, by giving yearly to one hundred persons, pensions of from 50*l*. to 60*l*. for life, by granting new commissions, while so many meritorious and tried officers were anxious to be employed. He trusted his majesty's ministers, who professed themselves anxious to adopt every means of economy, and which they had in many cases, he believed, exercised with pain to themselves, would not allow so unreasonable a course of proceeding.—There was another head of expenditure to which he begged the attention of the Committee—The Royal Military Asylum, supported at an expense of 36,482*l*. Although that establishment might be considered proper during the extensive military exertions this country had made, he must express his strong doubts of the policy of continuing it on so extensive a scale in time of peace. At this particular time, when the country was suffering from over population, and when the grown-up population could scarcely get food, it appeared to him to be bad policy to encourage an increase of population from the army at so great an expense to the state. He thought the scale of the establishment should be much reduced, though by degrees. He should not ground any motion on these observations at present, as he considered that any reduction, to be effectual, should be undertaken and made by his majesty's ministers, which he sincerely hoped, they would do.

Mr. *Bennet* said, that the great question for the consideration of the committee was, whether an army of 29,553 men was not too large an establishment to be kept up in time of profound peace. It was impossible that such an army could be employed in performing the duties of the country, particularly when it was considered that there were numerous corps of volunteers established in the different districts. The army kept in Ireland amounted to 20,670 men. If such a number of soldiers were necessary to the maintenance of tranquillity in Ireland, it was a disgrace to the government of this country. It was the duty of ministers to adopt such measures as would make the people of Ireland attached to the government, instead of making them detest it. He had been told, that nearly the whole administration of justice in Ireland, was carried on by means of the military; and it was in evidence, that all the gaols of that country were guarded by soldiers, in the room of police; nay, he understood that the offices of turnkeys and attendants, were performed in the same way; and that in one gaol alone, there were no less than

37 soldiers employed to do the duty which could be done by three turnkeys. There were major-generals on the Irish military establishment, in number equal to those employed in England and Scotland. There could certainly be no occasion for so large an establishment. There was one subject which he should feel it his duty to bring forward on a future occasion, if the noble lord did not inquire into it; he alluded to the Waterloo prize-money. Whether it was from the vague and unsatisfactory regulations made for the distribution of this money, or from what other cause he knew not, but the effect was, that numbers of those who were entitled to it had been refused, while it was foisted upon those who had no claim whatever to receive it. The troops not actually engaged had been deprived of this money, though they were employed as beneficially, in protecting the flanks of the army and guarding the baggage, &c. as they otherwise could be: yet those troops who were on their passage from America, and those who had been lounging in St. James's-street, when the battle was fought, and who had travelled over to Paris, *en bourgeois*, in their gigs, were allowed to participate in it. The whole of the medical department, who had the care of the wounded of all countries, were also excluded from any share of this money. Was this fair or equitable? The whole of the Hanoverian corps, who had sustained great injury in the action, had also been excluded, with the exception (and it was rather a curious sort of exception), of those officers who had run away, from their regiments, either before or during the action. Those officers who had so ran away, having joined the army before it reached Paris, were allowed prize money, while those who had remained at their posts were, according to some new-fangled rule, refused it. Some more fair and liberal division of this prize-money ought to be made, and he hoped the noble lord would take the subject into consideration.

Sir *A. Hope* was surprised to hear an hon. member, advocate the abolition of the Royal Asylum. It was due to those who fought for the country that this provision should be made for their children.

Mr. *Hume* begged to explain. He would be the last man to advocate the abolition of that establishment. What he had said, was, that as we were now in a state of peace, a considerable reduction might be made in its expenditure.

Sir *A. Hope* begged pardon. He had understood the hon. member differently. The next objection which had been made was to the Military College. This subject had been discussed before, and a committee had reported to the House that it was beneficial to the country in supplying officers for the army. The hon. member here entered into a detail of the present expenses of the establishment, which, he observed, were much reduced from what they had been during the war. None of the cadets were promoted to commissions in the army, but such as were found fully qualified, and of these only sixteen now remained to be provided for.

Sir *I. Coffin* did not mean to find any fault with the army estimates, but he hoped, if an opportunity of reducing the expenditure of the country offered, it would be embraced by ministers.

Lord *Palmerston*, in answer to the objections which had been made to the number of men in each regiment, said, that it would be impolitic to fill them up to the usual compliment in a time of peace. If that were done, and a war were to break out, the only means of augmenting our forces would be by raising new regiments; which it was obvious would be attended with great delay and inconvenience: whereas, by the present regulation, considerable addition could be made to the army, by filling up each regiment. He did not mean then to enter on the subject of the Irish staff, as it was under the consideration of government, and would be matter of future discussion. The Military College merited the support of the country, as it had supplied the army with many able and meritorious officers. It was well known how great an inconvenience, on the breaking out of a war, it was, not to have scientific officers—and scientific officers could only be obtained by experience or by instruction. Such an establishment as the Military College was necessary to keep the army in a state of efficiency; for notwithstanding the gallantry of our officers, without either that experience which war afforded, or that instruction which it was the object of this college to give, they must yield to men of superior science. As to the extent of that establishment, it was not found that it turned out more cadets than could be provided with commissions, for the support of the army on its peace establishment. If that were the case hereafter, there could be no hesitation in making a proportionate reduction in that institution. The hon. gentleman (Mr. Hume) had said, that the half-pay system required serious attention, and recommended, as a measure of justice and economy, that the commissions should be filled up from that list. He had not gone the length of saying, that all commissions should be so filled up. Many officers on half-pay, it was recollected, were those who had obtained commissions for raising corps, and who had always been given to understand, that they would be reduced and put on half-pay; they had, in fact, merely purchased in that manner an annuity for life. Yet the commander in chief had always paid attention to the expediency of filling up commissions out of the half-pay list, and if the half-pay of the officers removed from that list were calculated at twelve years purchase money, 2,678,000*l.* had been saved in that way to the public. On the augmentation of the army in 1815, there had been appointed to commissions 339 officers from that list, whose half-pay at 12 years purchase would have cost the public 226,000*l.* It was said that the commander in chief might, by putting an officer on half-pay, grant an annuity without the consent of parliament. But this view of the subject was not correct, as, unless by exchange with another officer on half-pay, no officer was put on the half-pay list except by the reduction of his corps, which was a matter of general arrangement. As to the Military Asylum, the object of it had met with general approbation from all parts of the House. It was, in fact, a charitable institution; and there could not be better objects of charity than those for whom this establishment provided—the orphans of officers who had died in the service, or the children of those, who, being ordered on foreign service, were unable to attend to their education. It was said, that with a peace establishment such an institution was not necessary. But how short a time had elapsed since we had a most numerous army? There were now constantly more candidates for admission, from among the orphans of soldiers, than could be taken in; but if peace continued for some time, there mignt be room for reduction. In reply to the observation respecting the Waterloo grant, and the complaint, that the medical staff at Brussels had no share in it, he stated, that the rule was, that as this sum was granted as prize money to those who had been engaged in the battle of Waterloo and the capture of Paris, those only who were engaged in the battle, in the sieges of fortresses, or in the capture of Paris, were to share. The garrisons in the rear of the army at Ostend, Brussels, and other places, were, by this rule, excluded. It often happened, that those who performed duties of great danger, did not obtain prize money which was shared by persons who had undergone less difficulty or hazard. But this was inherent in the nature of prize money. It was necessary to draw a distinct line somewhere; and as to the medical officers at Brussels, though they had performed a laborious and responsible duty under very disadvantageous circumstances, they could not be admitted to share unless, the whole of the troops in the rear, including a veteran battallion, which had two days before arrived from England, had been admitted to share also. If the care of the wounded of itself gave a claim to prize money, the medical officers at Deal (whither many of the wounded were removed) would have a claim. He contended, that former years did not form a fair criterion as to the amount of force required in the present year. In the last year, sir W. Burroughs had moved to reduce 10,000 men, and a noble lord (Althorp) had proposed a reduction of 5,000 men only; yet, in the present year, 9,800 men had been reduced.

General *Gascoyne* could not concur in the construction which the noble lord put on prize money, which he seemed to think the effect of chance rather than the reward of brilliant service.

Lord *Palmerston* explained, that he meant to put no such construction; all he had stated was, that the prize-money was limited to the army actually in the field, either at Waterloo or at the capture of Paris.

General *Gascoyne* was glad to hear this explanation given; still, however, he thought the medical officers immediately attending on the wounded at Brussels, ought to have been considered in the distribution of the prize money. In the late promotions, he certainly believed that the appointments were made in two cases out of three when they were not taken out of the half-pay list, from promises made to meritorious officers, who had faithfully served their country. In his own regiment, the only five vacancies which had occurred were filled up from the half-pay list.

Lord *Althorp* said, that when on a former occasion he had proposed a reduction of 5,000 men, it was not that he desired no greater reduction, but because the House had previously negatived a motion for reducing 10,000 men. The establishment for England of 29,000 men seemed to him enormous, especially at a time when only two millions were applicable to the reduction of our debt. The force in Ireland, great as it was, might be necessary; but that necessity was only created by the mis-government of that country.

Mr. *Bennet* contended that this was the single solitary instance in which the medical staff had not shared in prize money, as matter of course. At Lisbon they shared with the army for the capture of Badajos, at Salamanca for the battle of Salamanca, at Vittoria for the battle of Vittoria, and it was now, for the first time, that a ray of light had broken in upon the generosity of his majesty's ministers.

Sir *R. Wilson*, after highly eulogizing the character, services, and merit of the medical staff, and contending for their right to a participation in the Waterloo grants, particularly in the case in question, where they were exposed to considerable personal risk, proceeded to put a question to the noble lord. He observed in the army list the names of officers continued four years, yet having a mark against them, to denote that they had only temporary rank. Now, he thought it would be very unfair and injurious to the service, if they were to be permitted to count this as part of their time, and so be enabled, eventually, to dispose of their commissions.

Lord *Palmerston* replied, that it was the usage of the service to confer this honorary distinction on particular individuals; but they held no commissions in our army, nor, of course, derived any emolument from that honour. It was purely, indeed, honorary, and had been in the present case conferred on some distinguished foreigners as a mark of favour.

Sir *R. Wilson* asked, if any of the officers alluded to, as standing on the army list without a commission, did not receive pay.

Lord *Palmerston* replied, that there was not one as he believed.

Mr. *Bennet*, again adverting to the subject of prize money to medical officers, said that the distinction made by the noble lord regarding the medical officers at Brussels and those on the field at the battle of Waterloo, did not hold in other cases, as the medical officers in garrison at Lisbon had received prize money on the retreat of the French from before Torres Vedras, though at a great distance from the scene of action.

The resolutions for the different items of supply were then successively put and agreed to.

BANKRUPTCY LAWS AMENDMENT BILL.] Mr. *John Smith* rose to move, that the House should resolve itself into a committee on this bill. He said, that the necessity of making some alteration in the present system was so generally acknowledged, that it would be unnecessary for him to dwell upon it. Some of the most eminent lawyers had given their opinions on this subject, and had suggested the means of correcting those abuses which now existed. He had had communications with many individuals high in the estimation of the country upon this subject; who had advised him to divide the bill into two distinct bills. This advice he had also received from many professional gentlemen, whose recommendation was entitled to the highest consideration. He had, therefore, divided his bill into two parts; the first was the regulative part, and related chiefly to the new administration of a bankrupt's effects, the appointment of assigness, the receipt of dividends, and the recovery of debts; the second contained the alterations which he wished to make in the existing law. The hon. gentleman then moved, that the committee should have power to divide the bill.

Mr. Alderman *Waithman*, after complimenting the hon. mover upon the diligence with which he had investigated the evils of the bankrupt-laws, said that there were certain clauses in the present bill to which he could by no means give his support. It appeared to him inconsistent with reason, that there should be seventy commissioners appointed to decide on bankrupt cases, and that there should be only one judge to decide upon the petitions of insolvents, of which he understood that 4,000 were presented annually, affecting the property and interests of numerous individuals.

Mr. *Courtenay* could not allow the exertions of his hon. friend on this subject to remain without that meed of praise to which they were so justly entitled. There were some clauses in the bill which were highly beneficial; others in which he could not concur. On the clause for appointing assignees with the powers and privileges which the law of Scotland gave to agents, he should say a few words when the matter was discussed on the recommitment of the bill.

The *Solicitor General* suggested, that if it were printed in two several bills, the discussion on each might take place separately, and thus save much of the time of the House.

Mr *Smith* had no objection to this proposal.

The House then went into a committee.

ILLICIT DISTILLATION IN IRELAND—TOWN-LAND FINES.] General Hart presented a petition from Jeremiah Loughry, complaining of the hardships which he had suffered under the Illicit Distillation laws, and praying that his grievances might be taken into consideration.

Sir *John Newport* said, that he should take the present opportunity of asking the right hon. gentleman opposite what had been done with regard to the distillery laws. On a former occasion, he had expressed his surprise at the very extraordinary conduct of ministers on this question; and now he had to express his surprise at a still more extraordinary determination (if men whose principles were so wavering could be said to have any determination) to which they had, as he was told, very recently come. They had abandoned the town-land fines, and had abandoned them after the obstinate defence of them which they had lately made, in such a manner as showed, that they had not done so from any conscientious alteration of their opinions, but from the influence of threats which had been held out to them of a loss of support in several of their adherents. If a ministry could be found that were cowardly enough to sacrifice one-fourth of the revenue of their country to the threats of individuals, was that an administration which deserved the support of the House, or the confidence of the people? In what a situation would the House be placed, if another body of their supporters should go to them and say, that they would withdraw their support, unless the ministers retracted the resolution which they had previously formed? For his own part, he did not conceive that the determination of his majesty's ministers would be productive of any advantage whatever; on the contrary, he anticipated great mischief from it. From papers that had been printed since the last discussion, it appeared, that this measure, which had just been rescinded, had driven into a small compass illicit distillation. He had no doubt that immediately this decision was made known in Ireland it would again revive and flourish. However reluctant he was to differ from those of his countrymen with whom he was accustomed to act, and he was sorry to say that he did differ from them on this question, he knew that none of them would differ from him when he said that ministers ought not to consult what would be the result to themselves if certain threats were executed, but what would be best for the interests of the country? He believed the statements which he had heard that morning to be perfectly true. In order to give ministers an opportunity of contradicting them, if they were not true, he would repeat them. A body of Irish members had waited that morning on the chancellor of the exchequer, and the secretary of state for the foreign department, and had stated, that unless the town-land fines were abandoned, they would abandon the ministry.

Lord Castlereagh, the Chancellor of the Exchequer, Mr. R. Martin, and several other members rose. The rest, however, gave way to

Lord *Castlereagh*, who said, that he had never witnessed a greater exhibition of intemperate warmth than that which the right hon. baronet had just displayed. The exultation of the right hon. baronet was so great, in consequence of the idle story which he had heard, that he could not restrain the ebullition of his feelings till the order of the day for taking this question came on, but had vented it upon the presenting of this petition. He did not rise with any intention of repelling the aspersion which had been thrown upon the members who had risen along with him; they were able to defend themselves; but he rose with some warmth, and a good deal of indignation, to repel the charges which had been urged against his majesty's ministers in general, and himself in particular The right hon. baronet's connexion with a commercial town might account for his feeling with regard to the measure. That the measure

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Mr. Alderman *Waithman*, after complimenting the hon. mover upon the diligence with which he had investigated the evils of the bankrupt-laws, said that there were certain clauses in the present bill to which he could by no means give his support. It appeared to him inconsistent with reason, that there should be seventy commissioners appointed to decide on bankrupt cases, and that there should be only one judge to decide upon the petitions of insolvents, of which he understood that 4,000 were presented annually, affecting the property and interests of numerous individuals.

Mr. *Courtenay* could not allow the exertions of his hon. friend on this subject to remain without that meed of praise to which they were so justly entitled. There were some clauses in the bill which were highly beneficial; others in which he could not concur. On the clause for appointing assignees with the powers and privileges which the law of Scotland gave to agents, he should say a few words when the matter was discussed on the recommitment of the bill.

The *Solicitor General* suggested, that if it were printed in two several bills, the discussion on each might take place separately, and thus save much of the time of the House.

Mr *Smith* had no objection to this proposal.

The House then went into a committee.

ILLICIT DISTILLATION IN IRELAND—TOWN-LAND FINES.] General Hart presented a petition from Jeremiah Loughry, complaining of the hardships which he had suffered under the Illicit Distillation laws, and praying that his grievances might be taken into consideration.

Sir *John Newport* said, that he should take the present opportunity of asking the right hon. gentleman opposite what had been done with regard to the distillery laws. On a former occasion, he had expressed his surprise at the very extraordinary conduct of ministers on this question; and now he had to express his surprise at a still more extraordinary determination (if men whose principles were so wavering could be said to have any determination) to which they had, as he was told, very recently come. They had abandoned the town-land fines, and had abandoned them after the obstinate defence of them which they had lately made, in such a manner as showed, that they had not done so from any conscientious alteration of their opinions, but from the influence of threats which had been held out to them of a loss of support in several of their adherents. If a ministry could be found that were cowardly enough to sacrifice one-fourth of the revenue of their country to the threats of individuals, was that an administration which deserved the support of the House, or the confidence of the people? In what a situation would the House be placed, if another body of their supporters should go to them and say, that they would withdraw their support, unless the ministers retracted the resolution which they had previously formed? For his own part, he did not conceive that the determination of his majesty's ministers would be productive of any advantage whatever; on the contrary, he anticipated great mischief from it. From papers that had been printed since the last discussion, it appeared, that this measure, which had just been rescinded, had driven into a small compass illicit distillation. He had no doubt that immediately this decision was made known in Ireland it would again revive and flourish. However reluctant he was to differ from those of his countrymen with whom he was accustomed to act, and he was sorry to say that he did differ from them on this question, he knew that none of them would differ from him when he said that ministers ought not to consult what would be the result to themselves if certain threats were executed, but what would be best for the interests of the country? He believed the statements which he had heard that morning to be perfectly true. In order to give ministers an opportunity of contradicting them, if they were not true, he would repeat them. A body of Irish members had waited that morning on the chancellor of the exchequer, and the secretary of state for the foreign department, and had stated, that unless the town-land fines were abandoned, they would abandon the ministry.

Lord Castlereagh, the Chancellor of the Exchequer, Mr. R. Martin, and several other members rose. The rest, however, gave way to

Lord *Castlereagh*, who said, that he had never witnessed a greater exhibition of intemperate warmth than that which the right hon. baronet had just displayed. The exultation of the right hon. baronet was so great, in consequence of the idle story which he had heard, that he could not restrain the ebullition of his feelings till the order of the day for taking this question came on, but had vented it upon the presenting of this petition. He did not rise with any intention of repelling the aspersion which had been thrown upon the members who had risen along with him; they were able to defend themselves; but he rose with some warmth, and a good deal of indignation, to repel the charges which had been urged against his majesty's ministers in general, and himself in particular The right hon. baronet's connexion with a commercial town might account for his feeling with regard to the measure. That the measure was successful in a great degree, he would admit; but if it was attended with hardships, it was the duty of ministers to consider what might be the effect of a change in the law. It was premature to discuss, at the present moment, what the chancellor of the exchequer might propose as a substitute, as it was unnecessary to answer the stories which the right hon. baronet had picked up that morning. He could, however, assure the House, that his majesty's ministers had not been intimidated by any threats, but were solely influenced by a wish to relieve Ireland from the oppression she suffered under the system. If the evils resulting from it could be avoided without injury to the revenue, he was sure the House would receive the alteration with satisfaction. He had himself attended the meeting alluded to that morning, and could assert, that nothing of the kind described had taken place. His right hon. friend had intimated, that by the encouragement of small stills the evils likely to result to the revenue from the abandonment of town-land fines might be avoided; and that was the whole case upon which the right hon. baronet had got up the tragedy or farce, or whatever description of dramatic entertainment it was, with which he had just amused the House.

Mr. *Maurice Fitzgerald* agreed, that it might have been better if the right hon. baronet had omitted his observations, of which, however, an unfair advantage had been taken. If the chancellor of the exchequer had indeed changed his opinions, and abandoned the system, at least it would have been but decorous if he had stated to the House the grounds of his alteration. The question was, whether he had abandoned that system of cruelty, tyranny, and injustice: if he had, credit was undoubtedly due to him, though at a heavy expense of personal consistency. Was the rumour true or untrue? If true, had he communicated with the representatives of the great towns, and those who were most interested as to its effects only? The other night he had maintained, with much earnestness, that if the system of town-land fines were abandoned, great injury would arise to the legal distillers; their ruin would ensue: yet now it appeared that he had consigned them to ruin without the slightest compunction. He had said, that the system was essential to the morals and happiness of the people; yet now he had consented to leave them a prey to immorality and misery. If any new plan were in project, it was to be hoped that it would secure the collection of the revenue by the proper officers, without taxing the land, and without endangering the morals of the inhabitants. It was certainly most singular that the right hon. gentleman's opinions should have undergone so strange a revolution in the course of a few days; but the more singular it was, the more bound was he to state his reasons, and to take especial care to obtain information and advice from every quarter capable of affording it.

Mr. *V. Fitzgerald* defended the system of still fines, upon the ground of necessity, and deprecated the epithets that were applied to it. He had supported the principle while in office as a choice of evils, and if he were still in office, he would do the same. He hoped that the measure intended by his right hon. friend would prove effectual; for no man could more rejoice in the abandonment of the principle, provided it could be done without injury to the revenue and the morals of the country.

Sir *J. Stewart* said, that whatever his opinions might be on the law relating to still fines, he should not be influenced by the opinion of any chancellor of the exchequer, for he never knew two of them to agree. It was the constant misfortune of Ireland, that it never had a chancellor of the exchequer who seemed either willing or able to entertain sentiments of general policy calculated to serve the common interests of the realm, and yet not conflict with local concerns. There were no fixed principles, but the country was oppressed by an *imperium in imperio*, by which the general advantage was sacrificed to local and partial interests. He took shame to himself that this law originated in an Irish parliament, and the history of it was this: the chancellor of the exchequer induced the country gentlemen of Ireland to vote for this savage and barbarous enactment, by promising them, if they supported him, that all the spirits of the country should pay a certain duty. In the course of another session, however, this engagement was forgotten, and the system was maintained without the advantages that were promised.

Mr. *Wildman*, though not an Irishman, could not hear such accusations brought against the Irish without feeling indignant. Accustomed as he was to follow in the train of ministers, he could not hear such gross attacks upon them without warmly resenting them. He had come into the House with a strong prejudice in favour of ministers, and a disposition to support their measures; but this was from a conviction that they were right. If ever he regretted one vote which he had given in the House, it was that which he gave a few evenings ago, against a motion from the other side of the House upon this subject. That vote pained him a great deal, because he thought the system which the motion opposed was one which went to punish the innocent for the crimes of the guilty; but he was now glad to find that it was likely to be altered. He could not bear to hear the chancellor of the exchequer attacked in the way he had been. If he could think that the chancellor of the exchequer was capable of yielding to any threat, the House might depend upon it that he never would vote with him again upon any question.

Mr. *Dawson* said, he felt the greatest indignation at the attack which was made by the right hon. baronet upon the gentlemen connected with Ireland. He was one of those who had waited that morning on the chancellor of the exchequer and the noble lord, upon the subject then under discussion. They had found every disposition to attend to their statements; but he utterly denied that any thing like a threat was made use of.

Mr. *Peel* suggested that the House had better abandon the discussion into which it was surprised, and return to the petition, which was the only subject regularly before the House.

The *Chancellor of the Exchequer* denied that he had recanted the opinion which he formerly held. He still thought that the measure was useful in suppressing illicit distillation, though it was attended with hardships in particular cases. With this view, he had agreed to the proposal of going into committee on the subject. Subsequent reflection had suggested a measure which he hoped would operate as a substitute, and which he should propose in a few nights; till that time the House would do him the justice to suspend their judgment. With regard to the interview of that morning, he should only say that he had met the gentlemen with every disposition to conciliate, and that they had made no attempt to deter him from the adoption or rejection of any measure.

Sir *G. Hill* maintained the necessity of the principle of still fines, and expressed much doubt as to the efficacy of any substitute that could be devised.

Mr. *Martin*, of Galway, did not rise to offer any thing in defence of the noble lord or the right hon. gentleman: he did not think they needed it. But when the right hon. baronet had stated, that a number of Irish members had gone in a body to ministers, for the purpose of intimidating them, he had, though intending to wound the government, wounded the character, or attempted to do so, of those members. Could it be believed, that because their own object was not carried, they would inflict a wound on the government in the most tender point, by voting for those measures which originated on the opposite side of the House? It did not follow, that because he could not attain a great good, that he should support a great evil to the country, by giving his support to the measures of the right hon. baronet and his friends. He did not mean to defend the noble lord, and the right hon. gentleman. The noble lord and his friends did not require it; but it was absurd to say that they could be intimidated. If any hon. member thought that the noble lord could be intimidated, he would seriously recommend him to try the experiment. He gave credit to the motives of the right hon. baronet. He had no doubt they were sincere. The right hon. baronet was a very useful watch upon the measures of the administration. He was well skilled in accounts and other minor matters, and was of service on the opposite side of the House, where, as long as he had a vote, he would endeavour to keep him [A laugh].

Mr. *Hutchinson* said, he did not rise to defend his right hon. friend,—he thought his conduct was not only out of the reach of censure, but above all praise. He did not know any public man who laboured so hard, who acted so zealously, or so much to his own honour, for the benefit of Ireland and the general good of the empire, as the right hon. baronet. The noble lord had, without meaning it, acted unkindly towards his right hon. friend—he had charged him with directing his attention to local and particular interests. He did not direct his attention to local interests, but where he was called upon to do so as a public man. As to the system of distillation, he would not enter into that subject for the present; he would merely state, that a great portion of the revenue of Ireland arose from the distilleries. He would also state, that the great distillers of Ireland had suffered most severely from the vacillating system which the government had adopted respecting their trade When he reflected on the course that was now to be adopted, —when he reflected on the sudden and unaccountable manner in which it had been adopted—when he saw ministers suddenly abandon a system which had succeeded, and to adopt one alike opposed to the increase of the revenue and the morals of the people—nothing was more just, nothing more reasonable, than to call for a declaration to satisfy the great distillers of Ireland, who had laid out their capital. He thought it was but fair to ask, whether they were to be turned round again, and whether their interests were to be sacrificed to the expediency of the day? For his part, he could not but hear, with surprise and indignation, of the determination that had been come to, without ministers ever consulting the distillers of Ireland.

Sir *J. Newport* repeated his assertion, that he had received his information from authority on which he could depend, though the fact had been, in some degree, disavowed by those who were concerned in it. He wished to know when it was the intention of the chancellor of the exchequer to bring forward his measure, and whether he proposed to communicate with those persons in Ireland who were interested in the question?

The *Chancellor of the Exchequer* said, he would bring it forward in a few days, and communicate in the mean time with those who ought to be consulted.

Sir *Francis Burdett* said, that feeling as he did for the morals and the prosperity of Ireland, he was rejoiced at the step the Prince Regent's ministers had taken to abolish so cruel, so unjust, so oppressive a system. If gentlemen would only inquire into the subject—if they would consider the cruel operation of the still fines—if they would reflect on the utter falsity of the charge made against the character of the gentlemen of the north of Ireland, they could not hesitate to put an end to a system which was unjust and oppressive, impolitic and absurd. The distilleries in the north of Ireland had been more particularly adverted to—and here again he would entreat the attention of gentlemen to a consideration of the system, to the expense of its machinery, to the employment of military power, to the wretchedness which it occasioned. The desolation which it caused was more than sufficient to counterbalance any pecuniary advantage to be expected from it; and the expense with which it was attended, rendered it one of the most miserable means that could be devised for recruiting the treasury.

The Petition was ordered to lie on the table.

## HOUSE OF COMMONS.

*Monday, May* 10.

ARMY ESTIMATES.] Mr. Goulburn brought up the Report of the Committee of supply, to whom the Army Estimates were referred. On the motion, that the first resolution be agreed to,

Sir *Henry Parnell* rose and complained of the large military force which the government seemed, if possible, determined to maintain, in a time of general peace. There were, from the report, 29,000 men for Great Britain; 20,000 for Ireland; and 30,000 for the colonies. The noble lord opposite had as yet made out no case whatever to justify the maintenance of such a force. He had not shown that the country was able to support such a burthen, or how far it ought to be upheld, consistently with the public liberty. The report did not state how or where this large force was to be applied. It merely intimated that a reduction of 50,000 men had taken place since the year 1817. He contended for the necessity of showing some adequate justification for the enormous expense which so large a standing army must entail upon the country. It was not enough to say that the present grant was smaller than a preceding one; it must be also shown that it was just, and absolutely necessary. In looking at the report of the Committee of Finance, the estimate of the income and expenditure for the year 1819, would be fully seen. It appeared that the expenditure for this year would amount to 68,000,000*l*. and the income only to 54,000,000*l*. leaving a deficit of 14,000,000*l*. Against this deficit was to be set off 16,000,000*l*. the amount of the sinking fund, which would leave a balance of about 2,000,000*l*. available only. Even in this calculation, the Committee of Finance admit, that they cannot reckon with precision upon the produce of a certain portion of the taxes upon exciseable articles, amounting to 3½ millions, unless the illicit trader shall be effectually put down; neither was there any ground in the opinion of the Committee, to expect any immediate improvement in the state of the finances of the country.—They intimated no more than half a million for the improvement of the revenue in 1821. He repeated, that he was at a loss to see the necessity of such a standing army. England was in peace with her foreign relations: domestic tranquillity might be said to reign. Besides, in the discussion that had taken place upon this subject, no allusion had been made to the degree of protection the country had from the naval force which was kept up. It had been said that Ireland required a large army for internal purposes in aid of the civil power. Why not rather reform the state of the civil power in that country, and put it on a footing more resembling the same power in England? Why not diffuse more generally the blessings of a good government, and give the people an interest in the maintenance of the laws? The hon. baronet then reviewed the expenses of the various offices in the Irish government. The secretary at war, for instance, had an establishment kept up for him in the castle of Dublin, and another in the Phœnix Park. Why was such an office placed on a more extensive scale in Ireland than in England? There was also the office of army accounts in Ireland, the board of general officers and other departments, which he thought ought to be considerably economized. The staff in Ireland cost the country 19,000*l.* and in Scotland it cost only 1,900*l.* Surely such an expenditure ought to be inquired into, with a view to a suitable reduction to meet the exigencies of the country. He said, that if the system of government in Ireland was changed; if obnoxious laws were repealed; in short, if pains were taken to gain the confidence and the affections of the people, there would be no necessity for a standing army in that country, and a great saving in this branch of the public expenditure might be made. He next adverted to the different public military offices, many of which he considered as unnecessary, and each of which had a number of boards, clerks, and officers—the expenses of these offices amounted to 150,000*l.* per year. There was the war office, the army account office, and controllers of army accounts. These simple and obvious modes of reduction had, however, escaped the observation of ministers. It was to be lamented that any fair subject of retrenchment should escape them at a time like the present; he trusted, however, that every member would make every effort to diminish the public expenditure. It was with that feeling, that he had trespassed upon their attention. He should now only express a hope, that the gentlemen who saw the thing in the same light that he did, would persevere in a constitutional opposition to the increase of the public burdens, and to the support of a large standing army.

Colonel *Davies* said, that even if he were to agree in all he had heard on this subject from ministers—that even if he were to take for granted the case made out for ministers, in order to justify the present extent of the military establishment—granting all this, he yet would prove, that without diminishing that force, there could be effected a saving in the army for England and the colonies of 120,000*l.* a-year. To prove this, it would be necessary to go somewhat into a dry detail. In the course of last autumn it was pretty currently reported among the military circles, that it was in the contemplation of government to reduce three regiments of cavalry; but now, from the statement of the noble lord, he had to conclude, that such is not the intention of ministers. He would now only say that the report gave great satisfaction to the public. He would now proceed to show what saving might be effected in the cavalry department of the army, without impairing its strength. Here the hon. gentleman went into a minute calculation, to show, that if three regiments of cavalry were reduced on the one hand, and on the other, if the different cavalry corps, consisting now of 380 men, were increased to 450—which he contended might be commanded by precisely the same number of officers, commissioned and non-commissioned, as a corps of only 380—that, with the reduction of allowance, men, horses, forage, &c. there would, in the cavalry department, be effected a saving of 30,000*l.* a-year. The saving on the infantry, he said, would proceed on the same principle. The present state of the infantry was seven battalions of foot guards, and 99 battalions of infantry. Of these he would confine himself to the number in Great Britain and her colonies, being 84 battalions, amounting to 54,600 rank and file. Now, if fifteen of these battalions were reduced, sixty-nine would remain; and if these sixty-nine battalions had each 800 men, instead of 650 men, which was the present force, they would amount to more than 54,600 men; and he would appeal to every military man in the House, whether the same number of officers and non-commissioned officers which now commanded the battalions of 650 men each, would not be fully sufficient to regulate and to keep in order a battalion of 800 men. This plan would by no means impair, but, on the contrary, increase the strength of the army; and yet it would save the public no less a sum than 90,000*l.* a-year. To this he knew it might be objected, that by thus reducing the number of battalions, a sufficient foundation would not be left for the army, should a state of war render it necessary to increase it; but he did not apprehend that such an objection could have any force, when the present enlarged scale of the army was considered—a scale much larger than any peace establishment hitherto, and three times as large as the peace establishment immediately after the American war. It was, he said, perfectly absurd to keep up the present enormous staff; it gave no strength to the army, whilst it greatly increased the public expenditure. Adverting to items of saving, so necessary at this period, he did not, he said, see any reason for the present enlarged establishment of the Military College; he thought that a saving might be made, particularly in the reduction of the junior branches of that establishment. In recommending the reductions in the army, he did so, he said, with considerable pain; it could not be without pain that he could propose to take from those brave officers one half of the pittance which they so well, so dearly, and so valiantly had earned; to many of them he had the honour of being known, and nothing but an imperative sense of public duty could induce him to make the proposal. When he looked at the state of the country, the extent of the public distress, and of public misfortune—when he saw petitions every day coming to that House from the agriculturists, praying for relief, and petitions from the manufacturers, praying for legislative protection, to save themselves and their families from starving—in such a melancholy and calamitous situation, if he could but save one thousand pounds to the nation, he felt that he would betray his duty if he did not suggest the mode of saving it. This honest and painful sentiment would, he trusted, at once, justify him in the face of the country and of the army. The hon. colonel concluded by moving—"That, instead of the sum of 2,258,776*l.* 11*s.* 2*d.* to be granted for the land forces in Great Britain, and on the stations abroad, excepting the regiments employed in the East Indies, from the 24th December 1818, to the 24th December 1819, there be inserted the sum of 2,138,776*l.* 11*s.* 2*d.* for the said purposes."

Lord ***Palmerston*** hoped the House would give credit to his majesty's ministers for their wish, on all occasions, to save every expense which it was possible to spare. But in so doing, however anxious the House might be to exert the most rigid economy, it should consider whether it was better at once to adopt an ascertained and permanent establishment, of which the expenses were submitted to them; or by rejecting that, and endeavouring to reduce it to an impracticable scale, to find itself hereafter involved only in greater expenses and difficulties. The hon. gentleman opposite, he thought, had greatly over-rated the saving which the adoption even of his own plan could effect. In fixing the peace establishment of the country, the House would see that it was not only necessary to consider what was a fair and reasonable force, but that it was requisite to give to our army, in the event of a war, should that ever unfortunately happen, the means of its augmentation with promptness, vigour, and efficacy. In this view he really thought the proposed establishment combined as many advantages as it was possible to incorporate into any one. It was evident that, whatever was the establishment proposed, there would be many to dispute its eligibility—many who would contest even the hon. gentleman's arrangement. There would be a wish to make even his scale still lower. Certainly, he (lord P.) believed, that in some cases, it would be less expensive to have higher establishments than he proposed; but great inconvenience would inevitably result from that system, in the event of a war. Supposing the establishment of the regiments was fixed at 800 men, in what manner would they be able, on the breaking out of hostilities, to augment them? Why, they might propose to add 200 men to each, and so form an unmanageable, unwieldy establishment; and to effect that they must either resort to new battalions or to fresh recruits. It might be said, that that was the case with the regiments in the West Indies; but what would be the consequence, he repeated, of such an arrangement in case of war? The result of keeping up too low an establishment would be equally disadvantageous; for, supposing the regiments to consist of 400 men each, and say that 600 shall be added in war time, making their full complement 1,000 men, on the war breaking out, they would be at a most enormous expense in filling them up. The hon. gentleman had said, that the saving to be effected by reducing three regiments of cavalry and fifteen battalions of infantry would amount to 120,000*l.* This appeared to be greatly exaggerated. He had understood the hon. gentleman on a former occasion to say five regiments of cavalry; and therefore the advantage, in the calculation which he (lord P.) had made on the subject, was all on the hon. gentleman's side. Now, he believed it would be found, that even upon the hon. gentleman's own arrangement, the saving would not exceed 31,958*l.* The total saving indeed, upon that plan, would be 175,000*l.* But against this last amount were to be placed the unattached pay of general officers, the half-pay of the reduced officers, military allowances, allowances for clothing of officers and men, and also for out pensioners, to serjeants, staff-serjeants, private soldiers, and other men belonging to the different regiments; besides 41,958*l.* for remaining miscellaneous services, making altogether a total of 143,042*l.*, which would reduce the saving to 31,958*l.* They would have, besides, to disband their regiments for the purpose of reducing them, and be at the additional expense of raising fresh men, in case of war, to complete them; so that allowing the amount, after these additional deductions, to be 13,802*l.* the utmost at which it could be estimated, it would not be worth while accomplishing. Now, taking the establishment proposed at 28 regiments of cavalry, and 18 battalions of infantry, by the addition in the cavalry of only one captain, one serjeant, and one private; and in the infantry, of one lieutenant, two serjeants, and one corporal, to each company, they could at any time raise the cavalry to 5,880, infantry 26,705, or 32,585 additional men; by which means, on any emergency, they might have their regiments almost as effective as at any period during the war. The expense of recruiting would be almost a trifle; but the difference of expence between keeping up this establishment, and raising new regiments, would not be less than 303,000*l.* per annum—that is, including the whole staff, which it would be necessary to raise also. He trusted, therefore, that the House would not agree to the hon. gentleman's motion, seeing that the proposed establishment combined all the advantages of efficacy, with the most guarded economy, both as to present and future arrangements; and that it afforded the means, whenever it might become necessary, to raise an army; of doing so with infinitely more vigour, and economy too, than a higher establishment could offer. The hon. baronet seemed to think that the offices of secretary at war, comptroller-general, and paymaster-general, were not necessary to be held by separate individuals. He would not now enter at length into any argument, to prove that the office of secretary at war was one of the most indispensible which could well have been mentioned; his duties and his responsibility were of the most important character. The paymaster-general was a public accountant, responsible for all the monies that passed through his hands. Now, the idea of making an accountant-general audit his own accounts, by amalgamating his office with another, was quite inadmissible. It was the duty of the comptroller-general to examine the extraordinary expenses of the army; and to them the treasury referred the consideration of every measure connected with military expenses. It was, therefore, most important to consider them at all times as quite distinct and separate from each other.—The noble lord proceeded to remark upon the estimate for the military college; and was very happy to hear the hon. gentleman bear testimony to its merit. It was very necessary there should be at its head, a person so eminently qualified as the present governor (sir A. Hope). The hon. gentleman had stated, that our whole peace establishment in 1787 (including Ireland) cost us only 1,039,000*l.*, which he had appeared to consider sufficient at the present time; whereas his own estimate, exclusive of Ireland, was upwards of 2,000,000*l.* Now, when it was considered that the present establishment included not only Ireland, but the whole force necessary for our additional colonies in the East and West Indies, Ceylon, and the Mauritius, he put it to the House, whether it was higher than might be expected.

Mr. *J. P. Grant* conceived that the arguments of the noble lord, however well they might apply to a very low establishment, were not at all relevant to the one in question. They could only apply to such a one as that settled by Mr. Pitt, in 1792. That suggested by his hon. and gallant friend, was 25 regiments of cavalry, and 91 battalions of infantry. Now, when he heard the noble lord propose, as the permanent peace establishment of the country, 18 battalions of infantry, which 18 were to be more numerous than the 91, he really could not see why the noble lord's reasoning was to be made equally applicable to high as to low establishments. He could not hear it proposed to keep up such an enormous establishment now, looking at what it was in 1792, when the prospect of peace was much less promising without entering his protest against it. There were gentlemen who heard him now, he believed, who were upon the committee of finance of 1792, and voted for that establishment: he called upon them to come forward and state upon what grounds they could give so inconsistent a vote as should support the one at present proposed. The establishment in 1792 was 11,000 men in all, while 30,000 and upwards were now proposed for Great Britain alone. It was, no doubt, very disagreeable for gentlemen to hear these arguments so often repeated; but let it be remembered they had never been replied to. They had, however, had their effect: some reductions at different times had taken place. Those reductions were not owing to government. They had told the House, year after year, that the estimates were as low as it was possible to fix them at; and yet they had been reduced. The noble lord had said, that this was to be the permanent peace establishment; yet he (Mr. Grant) had no doubt, that although the noble lord might be as little disposed to reduce expenses as any of his majesty's ministers, he would have to submit his estimates on a diminished scale [The cries of "question" here became loud and continued]. He contended, that this was a question of the very first importance; if there was one man in that House who thought it was not, he entreated him to return to his constituents and account to them for his conduct [A laugh, from the ministerial benches]. Notwithstanding the ridicule which came from certain gentlemen on the other side, year after year, he would oppose such establishments as these. He implored gentlemen to revere the principles upon which their ancestors had acted, and to consider what were the peace establishments they would have voted for. Among the estimates he found an item relative to an Ophthalmic establishment. He should not now oppose any motion upon it; but if the noble lord had no objection to furnish him with the necessary papers, he would hereafter bring the matter before the House. His principal object in rising that night, was to enter his protest against the noble lord's establishment.

Mr. *Goulburn* believed that these establishments had been very nearly the same in principle for a great number of consecutive years. All the points alluded to by the hon. gentleman had been fully explained and discussed by his noble friend on introducing the estimates, and he thought it too much for the House to be called on to acquiesce in the views of the hon. member, who had not thought proper to go into any details, nor inquire into the necessity of any one branch of the service. The peace establishment of 1792 had been represented as the true standard; and he fully admitted that reference should be had to it, whenever a material change of circumstances, or the increased number of our foreign possessions, did not make such a comparison altogether inapplicable. In forming a fair judgment on this subject, it was essential to revert to the policy which we found it expedient to adopt at the commencement of the last war, for the purpose of suddenly raising a force which should be equal to our defence at home, whilst it was also disposable for foreign operations.

The original resolution was put and carried; the amendment was consequently lost.

It was then moved, that a sum not exceeding 118,021*l.* 1*s.* 3*d.* be granted to his majesty, for the support of the Staff, exclusive of India.

Mr. *Hume* said, he could not allow the resolution to grant 118,021*l.* in part for the staff of the army at home and abroad to be read without bringing to the notice of the House the charge therein for staff to the new colonies, viz. for Ceylon 6,486*l.* The Mauritius 3,785*l.*, the Cape 2,979*l.*, Malta and the Ionian islands 7,853*l.*, amounting to 21,103*l.* The hon. secretary to the colonial department had stated, that a great proportion of the increased military expenses of the present year beyond those of 1792, arose from the colonies acquired in the late war, and chiefly those he had named. It behoved this House, therefore, to consider well the circumstances to which those colonies were as to expenses, and the means possessed of defraying them. He did not call the attention of the House to these points on his own opinion alone, but being supported by the authority of a committee on their Report in 1817, he begged leave to read what they had stated to this House: "Your committee cannot leave the subject of governments abroad thus incidentally brought before them without expressing a wish that some means may be devised for rendering the foreign possessions of the British empire more efficient towards defraying the expenses of their own military protection, since their value to the parent state must be greatly diminished by their continuing a lasting drain on its resources. The subject here adverted to may well deserve the attention of the House hereafter, but the papers and information before your committee are not at present sufficiently ample to afford the means of pursuing such an inquiry during the present session to any useful result. They content themselves therefore with giving a very short general summary of the documents which the colonial office at present affords, so far as relates to the dependencies during the war. He concurred with the committee, that it was a subject that well deserved the attention of this House, and regretted that the finance committee had neither in their Report for 1818 or 1819 brought these foreign colonies under their consideration or to the attention of the House. At that period the papers and information before the committee were not sufficient to enable them to make proper inquiry. But he would ask why two years had been allowed by his majesty's government and by the finance committee, to pass away without the requisite papers being produced and the inquiry followed up? The committee at that time suggested that it was desirable these new colonies should pay for the military protection afforded them. On the vote now proposed, the sum of 21,104*l.* was included as a charge for their staff alone, and no information had been afforded to this House as to the practicability, or impracticability of carrying that suggestion into effect. The House had now before them the Reports of their finance committee for 1818 and 1819, and not a word was to be found respecting them. When such professions of economy had been made, it did appear most extraordinary that no means had been taken, as far as parliament knows, to relieve the nation from the expense of these colonies, which he could assure the House, if properly administered, were capable of defraying every expense civil and military. He did not say so inadvisedly, but assured the House that from the information he had received, such was the deliberate opinions of men who had been resident in, were well acquainted with, and qualified to judge of both the finances and expenditure of those possessions: and if his majesty's ministers had been so disposed, they might easily satisfy themselves on this subject. He had no doubt that the committee of 1817, had had evidence before them to the same effect; and he submitted, whether there was not culpable neglect in some quarter, in not following up inquiry into these matters, important at all times, but particularly at this time of unexampled great financial difficulty. The House would recollect, that these new colonies were not like Jamaica, or any of the old colonies which had councils and assemblies to watch over taxation and expenditure. But his majesty's minister for the colonies (lord Bathurst) and the governors, had the sole direction and disposal of these large revenues. It was a subject that ought to excite the jealousy of parliament both in a constitutional and pecuniary point of view, and he was confident the House was not aware of the extent of power, which the colonial minister possessed and exercised in these colonies, or it would, ere this, have taken the subject into their consideration. When the expenditure of a few thousands, or even of a few hundreds of pounds, required the sanction of this House, and often very properly engaged their attention to a considerable degree, it did appear to him very extraordinary, that the government should have the power of disposing of millions in these new colonies without the sanction or even the knowledge of parliament. It could scarcely be believed, that the annual revenues of the new colonies which he had named exceeded 1,200,000*l.* and that the whole of these had been, and now were, at the disposal of ministers. There were no documents before parliament, to show the expenditure of any part of that immense revenue! Was that, he would submit to the House, a state of things to be permitted to continue?—He would not state to the House, the amount of those revenues from private information, lest any hon. member should think the authority insufficient; but he would state it as ascertained and reported to the House, by the finance committee of 1817.

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| The Revenues in Ceylon in 1815 | £. 640,444 |
| The Cape of Good Hope in same year | 229,495 |
| The Mauritius, and Bourbon for 1814 | 206,860 |
| Malta for 1815 | 114,426 |
| | £. 1,191,225 |
| To which the Revenues of the Ionian Islands may be added | 120,000 |
| | £. 1,311,225 |

These amounts were certainly subject to some modification since that time by the cession of the Isle of Bourbon, and by the constitution given to the Ionian Islands; but he contended, that these great revenues were at the sole disposal of his majesty's ministers, without the check or control of this House, and that they were all expended by them. And farther, that by the vote of this night, they proposed to add 21,104*l.* The House, he thought, ought to pause before they voted so large a sum to purposes, which a committee of the House had declared, should be discharged by the local revenues, and he therefore should propose to postpone the vote, until accounts should be laid before it, of the receipt and expenditure of each of these colonies. He would not take upon him to assert, that any part of the revenues were actually misapplied, though he had heard such statements; but he would say, that his majesty's ministers had the power, if they chose, of misapplying them. It was in the power of the minister to provide for any persons, by sending them to these colonies, and creating officers for them, to be paid by the local revenues. It was in the power of government to grant pensions to individuals resident in this country, payable from these revenues, and he believed the accounts of their disposal would prove that. He should ask, whether that was a state of things proper to exist, consistent with the constitutional jealousy of the House of Commons? He had done his duty in bringing the subject before the House, and if it should refuse to enquire into the application of these frauds, in compliance with the suggestion of the finance committee, he must say, that it would be liable to the charge of culpable negligence. He was not aware whether he should, in the present state of the House, submit a distinct motion, or content himself with the statement he had made [Cry of, Move, move!]. He should therefore move, as an amendment, to substiute the sum of 96,616*l.*, instead of 118,021*l.*, being a diminution equal to the amount of the staff for these new colonies.

Mr. *Goulburn* remarked, that the hon. gentleman had opened a wide field into which he was certainly not well prepared to follow him. His observations were not simply and exclusively connected with the vote under consideration, but applied to the principle upon which this country had hitherto regulated its colonial policy. The effect of that principle was, in compensation for a monopoly of commerce, to maintain the civil and military establishments of the colonies. Whenever this branch of the subject should be brought forward, he trusted he should be able to show, that this system of retaining in our own hands the sources of commercial profit, was justified by sound policy, and ought not rashly to be abandoned. Another important point to which the hon. gentleman had adverted was, a supposed misappropriation of certain colonial revenues in Ceylon, the Mauritius, the Cape of Good Hope, and the Ionian Islands. With regard to those belonging to the latter, the government of this country had no more control over them, than over those of a sovereign and independent state. The management of their finances had been secured to them by treaty, on condition only that the garrisons were to be supported. The reason why no deduction was made for the staff appointments in that quarter might be readily assigned. If there was any hon. member who had at all turned his attention to the recent history of those islands, to the political changes they had undergone, and the successive spoliations which had been inflicted upon them, he must be fully aware of the state of want and destitution to which the inhabitants were reduced. This distress had been much aggravated, by the want of integrity in the conduct of persons to whom the financial administration had been intrusted. Amidst these unfavourable circumstances, some delay in raising the necessary revenues had taken place; but it was the anxious desire of the government to extricate itself from this difficulty, and its first object the maintenance of the Military Establishment. With respect to those other possessions referred to by the hon. gentleman, his official knowledge did not enable him to offer any material explanation, and he could not help feeling some surprise at the charges made against his majesty's ministers by the hon. gentleman, who had given him notice of a motion on the subject but a few hours before. He could assure the House that there was no disposition on the part of his majesty's government to withhold any information which might be deemed conducive to a clear understanding of the subject; and that whenever a motion for such information should be made, he should be ready, not only to produce the documents required, but to enter into a detailed account of the whole system of our colonial administration. From those details, however, he should now cautiously abstain, and confine himself to this general reference to the principles on which its policy was founded.

Sir *James Mackintosh* said, he should trouble the House but for a few moments, the question having arisen in a manner still more unexpected to himself than to the hon. gentleman who had just sat down, and had had some hours notice of it. But it was a most important question; and he thought the meaning of his hon. friend in relation to it, had been a little misconceived. He had not understood his hon. friend to object to that system of commercial policy with respect to our colonies, by which, for the sake of their trade, we exempted them from taxation for the support of their establishments: but to state that a surplus revenue was already derived, applicable to this branch of their military defence. If the statement were correct, and if the servants of the Crown were in receipt of a revenue for which they did not account to parliament, he could not conceive a graver case that could be offered to their consideration. In his opinion, a high constitutional duty devolved upon them, for the discharge of which all other questions should be postponed. The subject was introduced, not for the purpose of imputing blame, but of bringing under review a point intimately connected with the privileges of that House, and the practice of the constitution. He thought the ministers of the Crown were bound, however, to make it appear, that such revenues, if existing, were not applicable to the purposes contemplated in the proposed grant. His hon. friend's observations and statement were in the nature of a question put for information; and if there were clandestine sources of revenue either in the possessions alluded to, in Gibraltar, or elsewhere, it was matter of immediate and urgent necessity that a full disclosure should be made.

Mr. *Goulburn* observed, in explanation, that he had addressed his remarks to what he considered a charge against his majesty's government.

Mr. *Hume* denied that he had imputed blame to the government; he had merely asserted that it was in the power of the Crown to make an improper application of the funds in question. It appeared by a return before the House, that in 1815 the revenues of Malta were 114,000*l.*, and the whole charge upon them but 60,000*l.*; that there was a clear balance of 20,000*l.* in the Ionian islands; and that in the Mauritius the amount of revenue was 266,000*l.*; that of the expenditure 219,000*l.* He thought that these balances ought to be made applicable to the public service.

The original resolution was agreed to. On the resolution for granting 21,635*l.* for the Medical Establishment, Mr. J. P. Grant gave notice, that it was his intention to move to-morrow for the production of papers relative to the Ophthalmic Establishment, in order to ascertain how far it was necessary that it should be continued.—The other resolutions were put and carried.

Barnstaple Bribery Bill.] Lord Clive moved, that this bill be read a second time.

Mr. *Bernal* said, he was anxious to state to the House his reasons for opposing the bill. Those reasons appeared to him strong and convincing, and he was satisfied that the House would never pass such a bill without full inquiry and much deliberation. In the opinion he had formed upon the bill, he differed from many whose sentiments he much respected; but although he should be the last man to stand up for corruption, he would willingly be the first man to call for justice. In the three cases in which the interference of the House in a similar manner had been called for, the corruption proved was much greater than in the present case. He alluded to the cases of New Shoreham, ormation from the documents before the House.

Mr. *Martin*, of Galway, thought, the House should not resort to this extraordinary measure, until it had been shown that legal means had failed. The right hon. baronet's reason for thinking that the borough ought to be disfranchised, was the very reason why he (Mr. Martin) thought otherwise. If they had been guilty of bribery because the bribery oath had not been tendered, it followed, that if the clerk of the peace had administered the oath, they would not have acted as they had done. He was not disposed to go farther than to disfranchise those persons who had accepted bribes, because he thought it the very essense of injustice to punish the innocent for the guilty. He remembered a case in the Irish House of, Peers, in which it was proved, that some members had prostituted their votes; but it never entered into the head of the legislature to disfranchise the whole peerage on that account. For himself, he must say, that such a proposition was unjust, and therefore he felt it his duty to support the amendment.

Lord *Milton* observed, that the hon. gentleman who spoke last was in error, in supposing that it was intended to disfranchise the electors of Barnstaple, as the object of the bill was only to multiply the voters for that borough. Such a measure could not then be deemed disfranchisement, unless it were concluded that the franchise of an elector for Westminster, where the electors were comparatively so numerous, was of less value than that of an elector for Grampound. An hon. gentleman had suggested the propriety of laying down some specific rule to guide their decisions as to the disfranchisement of boroughs that came under their cognizance. The hon. gentleman, however, must be aware that it was difficult to settle a priori the grounds on which they were to decide, the House must act on the case as it came before them, and must be guided by the general practice, and the nature of the particular instances of corruption proved against a borough, rather than by any fixed and definite principle. If the House took the advice of those who opposed the bill, it might be alleged, that however ready they were to inquire into other abuses, they were unwilling to remedy any abuse that existed among themselves. He could not conceive that the giving the elective franchise to the hundreds would take any of their power from the present electors of the borough; it would only have the effect, by increasing their numbers, to prevent the recurrence of that system of bribery which was complained of. It should be remembered, that the elective franchise was not given for the personal benefit of the electors themselves. It was a trust given for the good of the public, and like the vote given by a member of that House, the vote of an elector was supposed to be given, not for particular but general good. Holding a favourable opinion generally of such measures as those embraced by the bill before the House, he regretted that occasions for them so seldom occurred [A laugh]. He would repeat the expression—he regretted that occasions for such measures so seldom presented themselves, because he thought there were many instances where the same principle was prevalent, and which the parties concerned so managed as to keep from the view of the House. There were several flagrant cases, of which the House could know nothing, and where, as was notoriously the case in the Grampound election in the present session, a compromise between the parties prevented the disclosure of facts upon which it might have been necessary for the House to have taken strong measures. There were, he had no doubt, many cases, where the compromise, as in the instance just mentioned, secured impunity, and the parties went on in the same career of corruption as before. It was on this ground he regretted that occasions like the present were not afforded to the House of detecting and providing against corruption. But, concurring in the general principle of the bill, as he did, he saw no particular claim which the neighbouring hundreds had to the elective franchise more than persons in other parts of the country. The principle of extending the right of voting might be good in such cases, and he had no doubt it was, but then the claim of many other portions of the community were as strong, and in some instances stronger, than those of the next hundreds. There were, for example, a vast portion of the public who did not enjoy the elective franchise at all, and who had a right to it from property and situation in life. He alluded to the copyholders and householders, so many of whom were scattered over the face of the country. Of the latter he would admit that a considerable portion enjoyed the elective franchise, but where this occurred it was only in large towns; but the householders, who were resident in small hamlets, or scattered over the country, were excepted from the elective franchise as such. He should wish to see the elective franchise in such cases as the present extended to such a description of men, and their claim was greater than that of the inhabitants of the neighbouring hundreds, inasmuch as many of the latter were already freeholders. On the whole, he gave his hearty concurrence to the bill, the passing of which would prevent the belief on the part of the country, that the House were lax in the support of those principles which concerned its own honour and the general interest of the nation.

Mr. *Waithman* said, he fully concurred in almost every sentiment expressed by the noble lord. He could not see why the House should not prosecute such a measure as the present for the sake of its own honour and character with the country. The worthy alderman proceeded, but was for a short time rendered inaudible by loud coughing in several parts of the House. He paused for a moment, and when silence was in a great degree restored, he thus continued. If he pressed unnecessarily on the time of the House—if he occupied its attention for any time, however short, with any remarks which he did not conceive tended to the point in debate, he should be the last to forgive himself; but when he only rose to express his honest feeling, however humbly he might be able to give it utterance, he did not see why he should be met in the way he just now had been. He could not see why on every occasion several members in that House should exert themselves to cry him down [Hear hear]. If that system were to be continued, what ever might be his feelings as an individual, and however little weight might attach to his opinions, in the humble way in which he expressed them, yet he could not by silent submission compromise the trust he held from his constituents, or his own privilege as a member of that House. "I remember, Sir," continued the hon. member, turning towards the Speaker, "when I heard you, and heard you with delight, a short time back at the bar of the House of Lords, beg the unrestricted liberty of speech for yourself, and every member of this House. That freedom of expressing our opinions we all possess, as representatives of the people; but it will be worse than mockery to boast of it, if, however humbly we may acquit ourselves, we are liable on any occasion to be put down by clamour." For his part he was determined not to surrender up the privilege which he enjoyed, or in any way to compromise the rights of his constituents. If there was any one subject more than another which called for particular attention, it was that which concerned the principle of election; and therefore he felt the less inclined to yield to the attempts which were made against his being heard. He would repeat it, that however humbly he might express his opinions, he would not suffer them to be stifled by clamour; and if that clamour should again be raised, he should appeal for protection where he knew the appeal would not be in vain—he should seek for protection from the Chair [Hear]. These observations were heard with considerable attention, and for the remainder of the worthy alderman's speech, not the slightest symptom of impatience was evinced in any part of the House. He then continued—Having made this digression, which was forced upon him, he begged to say a few words upon the question before the House. He was a sincere and warm advocate for parliamentary reform, though not, as some members might imagine, a supporter of the wild principles of universal suffrage and annual parliaments. He wished for a reform which was practical, and which would be effectual. He therefore thought the present question one of great importance; one in which the House ought to interfere. He agreed with the noble lord in his opinion respecting copyholders and householders. They were too little attended to: the householders were in many cases excluded from the elective franchise, though men in trade and of considerable property; while the outvoters were, on every occasion of election, sent down in large numbers to give their votes. He would, if there was no other, vote for the bill, though he conceived the time was come when the House were called upon to do a great deal more. There were householders and freeholders in many of the great trading towns with the enjoyment of the elective franchise; and in London it was remarkable, that no freeholder had a vote as such. He would recommend that the franchise should be extended to these.

Mr. *V. Blake* spoke against that part of the bill, which admitted non-resident householders to the right of voting.

cated to be useful. He attributed the augmentation of the poor-rates to the anxiety to reduce the price of agricultural labour. The great manufacturing towns were no doubt desirous of getting rid of their poor who had spent their lives in the workshops of Manchester or Birmingham.

Sir *G. Clerk* suggested to his gallant friend who had moved the amendment, to withdraw it, and allow the bill to go through another stage.

Mr. *Canning* approved of the bill in general, though he admitted that there were some objections to it. The amendment was important, as tending to raise the character of the poor. A great number of Irish were annually imported into Liverpool, and he thought the residence in large towns ought to be five years. The simplification of the law was a great gain, although in the present generation it might be attended by inconveniences. It would be ungracious to object too strongly to this first-fruits of the committee on the poor laws. The task it had to perform was complicated and difficult; and if it were not encouraged, gentlemen would be very reluctant to undertake the duties. He was in favour of the re-commitment, that the amendment might be introduced.

Mr. *A. Wright* opposed the bill, on the ground that it was fertile of litigation.

Mr. *S. Bourne* replied briefly, and said he had no objection to the recommittal of the bill.

Mr. *W. Smith*, though originally a friend to the motion, felt it a duty he owed to a very large body of his constituents to oppose it.

The question being put, "That the Bill be recommitted," the House divided. Ayes, 62; Noes, 92. The question, that the farther consideration of the report be put off for six months, was then put and agreed to.

## HOUSE OF LORDS,

### *Thursday, May* 11.

THE FLORIDAS—EXECUTION OF ARBUTHNOT AND AMBRISTER.] The Marquis of *Lansdowne*, in pursuance of the notice he had given at an early period of the session, and since postponed, now felt it his duty to call their lordships' attention to the transactions which had taken place on the occupation of the Floridas by the American forces; and with a view to that object, he intended to move for copies of the communications which passed between his Majesty's government and the government of the United States, with respect to the invasion of the Floridas, and more particularly the trial and execution of British subjects by the general commanding the troops of the United States. It was unnecessary for him, after what had passed at the beginning of the session, to enter into any explanation as to the motives which induced him to delay bringing forward this subject to so late a period. That explanation relative to the transactions between this country and the United States which the noble earl opposite had promised to give, had in the first instance induced him to abstain from pressing the consideration of the subject; but any silence which had taken place either on his part, or on that of parliament, could not be construed into a disposition to acquiesce in what appeared to be a departure from the law of nations, and the introduction into warfare of a barbarous practice, subversive of the principles of humanity, by which civilized states were governed. He was most unwilling to cast any reproach whatever on the government of the United States for the occurrence of the transaction, which he could not but characterize as one of the most atrocious that could be committed. He was far from attributing to that government any disposition to encourage or countenance that act. He had too high a respect for the character of the distinguished individual who filled the first office in the government of the United States, to believe that he, or any one connected with him in that government, would approve of the proceedings of general Jackson. In moving, therefore, for the correspondence which had passed between the United States and the Prince Regent's government, he was in hopes to find that proper explanations had been given.—He should now briefly state the origin of the transaction to which his motion referred. In the winter of 1817, in consequence of disputes which had arisen between the United States and the Seminole Indians, a war was commenced by the latter, who were charged with the commission of most flagitious outrages on the citizens of the United States. General Jackson, who was intrusted with the direction of the military operations against the Seminoles, thought fit to carry the war into the neutral territory of Spain, under the pretext that the Indians might make themselves masters of the forts, as the Spanish force was unable to resist them. How far this ground for the invasion of a neutral state was justifiable, it was not his present purpose to inquire, though it would be impossible for him not to call their lordships' attention before he sat down to the final cession of the Floridas by Spain. The invasion at the time it occurred, however, was, he admitted, a question solely between Spain and the United States. The circumstance to which he wished particularly to call their lordships' attention was, as he had already said, the trial and execution of two British subjects under the authority of the American commander. He thought the invasion of the Spanish territory was in itself an act of violence; and he believed it would be felt by all the world, that if state necessity was made the ground of so extraordinary a measure, those who had the conduct of the operation ought to be careful to avoid every unnecessary act of inhumanity. For instance, when Copenhagen was, under the pretext of state necessity, taken possession of by our government, it would have been an act of great aggravation, had the British general, intrusted with the command of the expedition, proceeded to try and condemn to death the subjects of neutral powers found in the Danish capital. General Jackson was, however, no sooner in possession of the Spanish territory than he proceeded to bring British subjects before courts-martial, and try and condemn them to death for pretended offences against the United States. There was some difference in the situation of the two individuals who had undergone this melancholy fate. Ambrister, it appeared, had undoubtedly borne arms against the United States; and he was not prepared to say, that there did not exist a right, according to the laws of war, in the commander of an army to refuse to regard the subjects of a neutral state taken with arms in their hands as regular prisoners of war. This might lead to a denial of quarter; but it was a most unjustifiable extension of the principle when it was applied to the case of Ambrister, who was not taken in arms. The principle was in itself one of great cruelty, and it never could be the interest of any nation to apply it in a way which would establish a practice so repugnant to all the feelings of humanity. Ambrister was only proved to have borne arms in opposition to the invasion of the Floridas, but was not found under arms. These circumstances he stated from the published account of the court-martial. With respect to Arbuthnot, the facts were materially different. Neither in the evidence produced, nor in the finding of the court-martial, was it pretended that Arbuthnot was found bearing arms, either at the time of the invasion, or in Fort St. Marks, in which he was taken. There was no proof of any connection between him and the Indian chiefs, except a letter which was spoken to by one witness; and nothing to make out the charge of his having instigated the Indians to hostility. It appeared that he had supplied the Indians with articles of merchandize, among which were some small quantities of lead and powder. This was a kind of transaction very common in war, and the property of the neutral merchant, when taken, had generally been held to be forfeited; but in no case was it ever before heard of, that he should be condemned to pay also the penalty of his life. But it was not only the sentence of the court-martial which was in this case calculated to excite indignation, the subsequent conduct of the American general was still more revolting. One prisoner was condemned to death; the other to the punishment of a severe imprisonment. General Jackson took upon himself, not the right of mitigating the sentence, but of aggravating it. He ordered the punishment of death to be inflicted upon Ambrister, who had been condemned by the court-martial to imprisonment only. Could these transactions be justified on any principle of the law of nations, or in any way by the plea of necessity, which had alone led to the invasion of Florida by the American army? But suppose that general Jackson was authorised in proceeding with severity against Ambrister and Arbuthnot, he ought to have felt that, from the analogy of punishments enacted by the laws of the United States, he could not inflict on these men the penalty of death, and that they could, in fact, be liable to nothing more than fine and imprisonment. The noble marquis referred their lordships to an act of the United States, a clause of which he read, by which citizens carrying on correspondence with a foreign power at war, or acting as commissioners or agents for such power, were liable, on conviction, to the penalty of 1,000 dollars, and one month's imprisonment. Thus it appeared, that citizens of the United States, guilty of the same offence as that with which Arbuthnot was charged, with the aggravation of violating their allegiance to their own government, could only be fined and imprisoned; and yet, with this act of the Congress staring him in the face, general Jackson had taken upon himself to sentence a British subject to death. He did more; after the sentence was passed, he proceeded to carry it into execution, in defiance of one of the articles of the American military code, which provides that no sentence of a court-martial affecting the life of an individual shall be carried into effect until it has been communicated to and approved by the president of the United States. To demand an explanation of such a transaction was a duty incumbent on this government; but its disavowal was not so much called for by the honour of this country as by that of the United States. That it was disapproved by that government was a hope which he cherished in common with those friends of humanity who looked to the American States as the means of diffusing over that part of the world the spirit of freedom and love of justice which they inherited from their ancestors, of planting in that continent all that was most noble in this. But how could such a hope be entertained, if this atrocious transaction should finally prove to be sanctioned by the government of the United States? He should not trouble their lordships further on this subject; but it was impossible for him not to advert to that event which had so materially changed the situation of this country with respect to its colonial power in the West Indies. He meant the cession of the Floridas. He could state without fear of contradiction in that House or elsewhere, that no colonial cession so materially affecting the interests of this country had ever before taken place. It was his anxious wish, and, he believed, that of all the country, that the peace now enjoyed should be of long duration; but neither their lordships nor those who administered the government were justified in overlooking the prospect of a renewal of hostilities at some period or other. Should a war take place the relative situation of this country would be essentially changed. He could without the slightest hesitation assert, that the acquisition of the Floridas would place a great part of the commerce of this country with the West Indies at the mercy of the United States. In the case of hostilities, our homeward-bound fleet could not pass the Gulf of Florida without the greater part becoming the prey of gun boats and small privateers of every description. Another injurious consequence to this country was, that the possession of Florida gave the United States a commanding influence over the present black governments, or any which might hereafter be formed in the West Indies. He was far from supposing that the noble lords opposite were insensible to the importance of this cession, but the event was strangely inconsistent with the commanding influence which it was supposed British councils had obtained by the late adjustment of the affairs of Europe. That settlement had often been the subject of congratulation on the other side; but with all the titles which it gave this government to influence, it was extraordinary that a transaction so inimical to our interests should be the act of the country which owed us the greatest obligations. How did it happen that ministers had been unable to prevent this cession? Why was such an event not guarded against by the treaties concluded at the peace? This neglect was the more remarkable, when it was considered that at the peace of Utrecht—a peace concluded by persons not much complimented for attention to the general interests of the country—it was provided by a specific article, that Spain should not cede any of her colonies to another power. Any one would think it impossible that such a security should not have been asked at the congress of Vienna; and yet from the treaties it appeared that nothing had been done there in the way of security, no provision introduced to guard against so momentous an occurrence as the aggrandizement of another power, in such a way as to completely subvert our influence in the West Indies. It had been stated, he understood, by high authority in another place, by the secretary of state for the foreign department, that the silence of the treaty of Vienna respecting the cession of the Spanish colonies was unimportant. When asked why no provision to guard against such cessions had been introduced, the noble lord answered, that although the treaty of Utrecht was not referred to, the omission was unimportant as the treaty of Seville, signed in 1729, and which remained in force, confirmed the provision in the treaty of Utrecht. Thus it was asserted that complete security was obtained; but ought it not to have occurred to the noble lord, that with regard to that part of the American continent the cession of which was most dangerous to us, this security could by no means apply? Florida at the time of the treaty of Seville, having been ceded to this country it was quite impossible that treaty could confirm the article of the peace of Utrecht, so as to prevent the late cession to the United States. But, independently of any renewal which might have been expected of the article contained in the treaty of Utrecht, it was surely not too much for this country to expect, from Spain and from the influence the government was said to have obtained in the councils of Europe, that ministers should have been able to avert an occurrence, the prevention of which was so important to our interests. He had thought it his duty to call their lordships attention to this subject, but it was not his intention to move for any papers relative to the cession of the Floridas. On the other point, however, he was desirous of obtaining official information, in the hope of preventing the recurrence of transactions of a nature so violent and unjustifiable, and which tended to establish principles which, if if admitted, would produce a change in the law of nations most unfavourable to humanity. He concluded with moving an address to the Prince Regent, for copies of all communications between the government of the United States and his majesty's government, relative to the proceedings which took place on the invasion of the Floridas by the troops of the United States in 1818, and more particularly with reference to the trial condemnation, and execution of two British subjects by order of general Jackson.

Earl *Bathurst* said, he would not follow the noble marquis through all the particulars into which he had entered regarding the cession of Florida to the United States. He was certainly the less called upon to reply to the noble marquis on that point, as the papers for which he had thought fit to move contained no allusion whatever to it. He could not, however, refrain from noticing the notion of the noble marquis, that to prevent the cession of the Floridas was a duty to be expected from his majesty's ministers. He would not go the length of saying, that cases might not occur in which it would be proper for one government to oppose cessions by another: but how dangerous would it be to establish it as a principle, that no state could make a cession to another without becoming responsible to this country. Nothing could be more inimical to the preservation of peace than to lay it down as a principle, that the ministers of this government should go about from court to court with the pretension of dictating or regulating all the arrangements that might be allowed to take place between our country and another. With regard to what had been said on the subject of the treaty of Utrecht, he should only remark, that at the time that treaty was concluded the Floridas were not in the possession of Spain. Leaving with this remark the subject of the cession of Florida, he should proceed to make a few observations on what had fallen from the noble marquis in support of the main object he had in view. The noble marquis had misunderstood what his noble friend had stated at the commencement of the session. He did not say he would take an opportunity of re-stating all that had passed in the communications with the government of the United States. What he said was, that he would take an opportunity of stating the general principles which had guided his majesty's government in their communications with respect to the transaction to which the noble marquis's notice referred. Their lordships were doubtless aware that what had passed in the communications between the two governments on this subject was matter of great delicacy; and he was confident that their lordships would not think fit to call for a disclosure, unless they should be of opinion that the case was such as required this country to demand from the United States reparation by the punishment of the individual who had committed the offence. Now it appeared to him that there was not sufficient ground to induce their lordships to adopt this opinion. It was true that two British subjects had in the course of military operations been taken on a neutral territory by the American troops, and tried and executed; but it was well known, not only that this act of violence and cruelty was not done by the order of the American government, but that it had been committed without any knowledge or participation whatever of that government. The act which had been committed formed, indeed, a charge brought on the part of the American government against their general; what might be the result of that charge, it was not necessary to inquire: all that their lordships were called upon to consider was, whether the case was one for which retribution ought to be demanded. Now, their lordships could not fail to recollect, that the occasion which justified a demand of reparation ought to be one which rendered the right and the policy of such a course of proceeding unquestionable. If reparation were once asked, it became necessary to enforce it at all hazards. The demand once made, it must be supported to the utmost extremity. But before such a course was taken, their lordships would doubtless pause, and ask, whether the case was one which would justify the involving the two countries in war. Above all, their lordships would doubtless feel that this was, of all others, a most unfit time to embark this country in a dispute for the protection of British subjects who might engage without the consent of their government in the service of states at war with each other, but at peace with us. Any British subject who engaged in such foreign service without permission, forfeited, he conceived, the protection of his country, and became liable to military punishment, if the party by whom he was taken chose to carry the rights of war to that cruel severity. This was a principle admitted by the law of nations, and which in the policy of nations had been frequently adopted. It was obvious, therefore, that if it were to be maintained that this country should hold out protection to every adventurer who entered into foreign service, the assertion of such a principle would involve us in interminable warfare. With respect to Ambrister, it became a question from what appeared in evidence, whether he was not a person engaged in foreign service without the consent of his government; and whether, having thereby forfeited the protection of his own country, he could only claim that of the power which he served. That he had not received the permission of this government was certain; and however cruel and atrocious the conduct of those who condemned him might be, the whole merits of the case depended on his having borne arms against the United States. Of Ambrister he had no previous knowledge whatever; and the only knowledge he had of Arbuthnot was from his name appearing to a despatch of the Indian chiefs; but it appeared merely as testifying the accuracy of the translation. The application for arms, which was the subject of this despatch, was made to the governor of the Bahama islands, who very properly refused to supply any assistance whatever, observing, that the application ought to be addressed to his majesty's government. Whether or not he had acted so as to forfeit the protection of this country, depended on the nature of the transactions in which he had been engaged, and the proof of the facts. In considering this question, it was to be recollected, that he states, in his own correspondence, that he had armed a body of negroes against the United States. If the facts were made out, it would appear that the fate of these unfortunate men formed a question to be settled between the government of the United States and its commander, and not between the two nations. As to the conduct of general Jackson in setting, as the noble marquis had said, the laws of the United States at defiance, that was an offence for which he was accountable to his own government. Such conduct in a military commander certainly would not be passed over in this country, nor did he suppose in any that pretended to freedom. The case of Arbuthnot was in many respects different from that of Ambrister; but it had been much misunderstood. It appeared that the Indians had applied to the Spanish commander of St. Mark's, and threatened to take forcible possession of the place; and when the fort was taken, Arbuthnot was found with two Indian chiefs among the garrison. In his defence he said he was a British merchant carrying on trade between the Bahama islands and the Indians; and had he done nothing more, had he been engaged in mercantile speculations only, though found in the fort, he would doubtless have been entitled to protection. The circumstance of the kind of trade in which he was engaged could not deprive him of a right enjoyed by British subjects. He would even go farther and say, that however partial the interest which he might have taken in the affairs of the tribes with whom he traded; whatever services he might have done them short of having joined in their wars; however much he might have desired their success, and endeavoured to promote it without identifying himself with their government, he would not have rendered himself liable to the tribunal on whose authority he was condemned, nor have forfeited the protection of that state to which he owed allegiance. But if his trade was merely a secondary consideration—if his character as a merchant was subordinate to his capacity as a political agent—if he did not content himself with the profits of commerce, but engaged in the transactions of war without consent of his own government, then undoubtedly he forfeited British protection. The noble marquis had gone too far in saying, that there existed no evidence on the trial to convict Arbuthnot of any political connexion with the Indians. Though nothing else existed but his own correspondence, its contents would appear sufficient. The signature of the letters imputed to him he had not disavowed; he did not deny that he wrote them, nor did he give any explanation by thich their tendency could be eluded. In them there was an evident reference to his formal appointment by the Indian tribes as their agent. So much did he identify himself with their cause, while he maintained his support of British interests, that he was supposed to be a British agent employed to assist and support them. This was not the case. He was an agent of the Indian tribes for the purpose of making communications between them and the British government, and not of the British government for communicating with the Indian tribes. Nor did he confine himself to this commission. He not only professed to be the channel of communication between the Seminoles and us, but between these tribes and the government of Spain. Here, therefore, not only was British protection renounced but the British character was entirely thrown off. Throughout the whole of his correspondence he identified himself with the tribes whose cause he had espoused. In his letters were perpetually recurring such phrases as, "we think so and so, we intend so and so, it is our right," &c. These letters he had not disavowed, and therefore they were to be taken as conclusive evidence that he was a political agent of the Indians. There was a communication of his to the governor of the Bahamas, in which he distinctly called himself a political agent of the tribes. Trade formed the least part of his connexion with them, and the capacity of a merchant was that in which he was least known. Under these circumstances, he would ask their lordships, whether Arbuthnot was not to be considered rather as a political agent of the tribes among whom he was found, subject to the responsibility which such a character imposed, than as a British merchant trading in a neutral character, and entitled to British protection? It only remained for him to state, that Arbuthnot, considered in the character of an Indian agent, had not suffered otherwise than those with whom he acted. This was a material part of the question. Now it appeared, that two Indian chiefs taken in St. Mark's along with Arbuthnot were executed, and that he was not exposed to greater severity than those with whose cause he identified himself. In offering these observations to the House, he trusted that he should not be considered as defending the conduct of general Jackson, or as approving of the sentence by which our countrymen had suffered. There was not, he believed, an individual among their lordships in the House, there was not a man in the country, there was not a humane or impartial citizen of America, who would not unite in condemning his atrocious and unjustifiable acts. He only begged leave to say, that in the proceedings for which these two British subjects were tried, there were discoverable such grounds of justifying the punishment by which they suffered, as exempted the government of this country from the necessity of embarking in a demand of reparation, which must have led to a war if persisted in, and from which we could not have retreated with honour.

The Marquis of *Lansdowne* replied. He was happy to think that the public opinion in America as highly disapproved of the conduct of general Jackson as it did in this country. When he stated his sentiments with respect to that conduct, he had studiously abstained from expressing any opinion regarding reparation. He had not said that the conduct of the individual in question would justify a war. All that he wished was, to obtain any papers containing a disavowal on the part of the American government of the act of their military agent, and an official declaration that no instructions were given him to warrant his proceedings; so that they might never be drawn into a precedent on any future occasion. He could not conceive how the government of the United States for which he entertained the greatest respect, could hesitate to declare, that transactions so objectionable had never met with its concurrence. With the idea, therefore, that such a declaration might easily be obtained, and that such a consequence would result from it, he had submitted his present motion.

He would not again enter into the two cases, or the reasons on which the treatment of the unhappy individuals had been defended. He could not help, however, stating a second time, that he did not see how the conduct of Arbuthnot brought him within the range of responsibility to the American general. He was not proved to be engaged in any military transactions. All that was established against him, allowing the fullest credibility to the evidence on which he was convicted, was, that he had allowed himself to become the channel between the Spanish government and the Indians. He was found in the fortress of St. Mark's; he was proved to have traded with the Indians; to have supplied them with articles used in war: he was charged with being their agent, and with negotiating in their behalf; but nothing was alleged to have been done by him in a military capacity; and yet it was only in a military capacity that he could have been condemned by a court martial.—He would now say a few words regarding the cession of the Floridas, on which he had received no satisfactory answer from the noble secretary. The noble earl had said, that the two questions were not necessarily connected, and had therefore declined to give the information which he had expected. The noble marquis was sensible that he might have made a separate motion for papers, and thus have brought the subject before the House in a formal manner; but he thought that he could accomplish the object as well by giving an opportunity of explanation, which might prevent the necessity of a distinct inquiry. The noble earl, however, instead of explaining how far the interference of this government had been exerted to prevent the cession of the Floridas to the United States, had taken the extraordinary course of declaring the principle of interference unjustifiable and mischievous. He had not said that it was ineffectual in this case, but he had laid down a doctrine, by which its application would soon be destroyed in every other. The defence that was formerly set up for not requiring a guarantee from Spain that she would not cede any of her colonial possessions to another power, was, not that the principle of establishing such a security was improper, but that it was unnecessary, because the provisions of the treaty of Utrecht, which had been confirmed by the stipulations of the treaty of Seville, were still in force, and formed a sufficient security. He admitted that the treaty of Seville could not afford a sufficient guarantee against the cession of the Floridas, because they did not belong to Spain at the time that was made. Some stipulation therefore, he thought, ought to have been introduced into the treaty of Vienna, to accomplish this object. It had never before been contended, that a security of the kind ought not to exist; and as it did not exist before the congress at Vienna, it ought then to have been established. The doctrine of the noble secretary, that no interference could be justified, would destroy the principle on which the balance of power rested, which it had hitherto been the custom to rely upon as our security. At the congress at Vienna in 1814, a stipulation could have been easily procured from Spain, for whom we had done so much, and would not have been objected to by the other powers of Europe. Our influence was then great, and could have procured this reasonable security.

The Earl of *Liverpool* said, that he would not have troubled the House, had he not been so pointedly alluded to by the noble marquis, and had not what he had said on the first day of the session been somewhat mistaken. His noble friend had explained that mistake. He had not said that he would lay papers on the table to explain the transaction; but that he would be ready at a subsequent period of the session to show the principle on which this government had acted. There were two aspects of this question, which were often confounded, and from which great mistakes had arisen—he meant its morality, or rather immorality; and the political ground that it had for demanding reparation. Looking at general Jackson's conduct in the former view, he did not hesitate to say, that it exhibited acts of as violent and as outrageous a nature as could be found in history—acts for which he was responsible to God and his country, and yet, considering the distinction he had made, they might not be of a kind to justify a demand of reparation from this country. He was free to say, that the Britsih government had not overlooked the acts in question; that they had had various communications on the subject; and that it was after the most mature deliberation that they had adopted the course which they now followed. When a question arose regarding the act of a foreign state, it was their duty to weigh well the nature of the first step in demanding reparation; a demand once made, if unattended to, must be pursued even to the extremity of a war. The question was, then, did those men suffer so unjustifiable a punishment at the order of the American government, as to render it imperative on us to make it a ground of national interference? He would say, no; and he would defend himself on the following grounds:—If an individual voluntarily embarked in war against any state with which his own government was at peace, he exposed himself to all its dangers and liabilities, without having a right to the protection of his own country. He might bring, as a proof of this, the provisions of a treaty concluded between lord Grenville and Mr. Jay, in 1784; it stipulated, that the subjects of neither state should engage with any power in a war against the other, and that if they did they should be left to the treatment to which the subjects of the third power were liable. This stipulation he had no doubt had a reference to the Indian wars. He did not say that this justified the conduct of general Jackson, as regarding his own country; but it justified us in not demanding reparation. If a volunteer engages in the wars of another state, against the sovereign of a state with which we are at peace, any severity inflicted on him is directed, not against the government to which he owes allegiance, but to that of which he holds the commission. If reparation is demanded, that state may say, " You are our friend, he has become our enemy; he has, therefore, no longer a title to your protection, and in punishing him we offer no indignity to you." Now, however unjustifiable general Jackson's conduct was, Arbuthnot and Ambrister, as being volunteers, and as exposing themselves to danger without any authority from their own government, had no right to appeal to their own nation for protection. The case of Ambrister was indeed allowed to stand on that ground. He was taken aiding the enemy; and though general Jackson's conduct was most atrocious in inflicting upon him a capital punishment, contrary to the sentence of the court-martial, that was an affair merely between the general and his government. The case of Arbuthnot stood on different grounds: he was not taken in arms, but he was proved equally to have aided and assisted the enemy. Would the noble marquis contend, that political and civil servants should be exempted where military agents were punished? The question could only be therefore, " did Arbuthnot assist the Indians?" and on this head he thought no doubt could remain. He had petitioned the British government to be allowed to interfere: he had gone to reside among them when he knew that another British agent had been discouraged, and his services in the cause of the Indians had not been denied. Much evidence he was willing to allow, had been produced in court which did not deserve the least attention; but there was a letter of his which was written with his own hand, and which he had not denied, asking arms and ammunition, expressly for the purposes of the war. He had, therefore, placed himself in the same situation as though he had taken up arms. With regard to the commutation of the sentence on Ambrister, and the infliction of a severer punishment when the court had awarded a minor, it was impossible to speak of it without horror. No general in this country, no officer, however exalted his rank or eminent his services, could have dared to have set aside the judgment of the court, and to have substituted another, without exposing himself to the severest punishment. It was not here a question what might be done in the heat of passion; but when the laws are once appealed to, it has been observed, that the greatest tyrant would be content with its decision. This was all he felt it necessary to say upon the subject. Upon the other subject, touched upon by the noble marquis, he would say a very few words. If by the faith of treaties Spain was bound to make no cession of the Floridas, it would be inconsistent with every principle of justice and generosity (if justice and generosity were not here the same) in the existing state of that monarchy, to call upon Spain to exercise such a guarantee, unless we were prepared to make common cause with her in resisting the cession. To call upon a country not to give up what it was for her interest to cede, but what it was much against our interest she should surrender, was a principle than which nothing could be more ungenerous, more unfit, or more improper. What consequences this cession might have on the fate and destinies of the new nations, it would be out of place here to inquire. As far as the interests of Great Britain were concerned, this was not a case in which this country could be justified in interfering.—The motion was negatived.

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## HOUSE OF COMMONS,

### *Thursday, May* 11.

PETITION OF GEORGE CROOK COMPLAINING OF HIS HAVING BEEN RUN, AND THEREBY DEPRIVED OF HIS WAGES.] Sir *Francis Burdett* said, he rose to draw the attention of the House to a petition of a person of the name of George Crook, late a seaman on board one of his majesty's ships, complaining of severe oppression. The allegations contained in the petition called into question the conduct of a very gallant officer in the naval service, and, at the same time, disclosed circumstances which were of infinite importance to the rights and interests of every man in the navy—since all those who were connected with that service, were liable to receive the same description of treatment as that of which the petitioner complained unless he procured redress. He had the petition for some time in his hands, and would have presented it much sooner, but he was desirous, in the first instance, to have some conversation with sir William Hoste, the gallant officer to whom it referred—but he understood that he was out of the kingdom, and was not expected to return for some time. The statement of the petitioner lay in a very narrow compass, although the points which it contained were of the most important nature. He conceived it right to state, that having had much conversation with the petitioner, the impression on his mind was, that he was not a person of bad character —a conclusion which was borne out by the certificates of several respectable individuals, under some of whom he had served in the navy, who spoke of him as a correct and well-behaved man; but, whatever the character of the individual might be, whether good or bad, it had nothing to do with the justice of the case. He stated, that, without any charge being exhibited against him, he was confined on board the Mutine, the ship in which he was serving, for five or six weeks; and that, when the vessel touched at Malta, he was ordered to receive six dozen of lashes by sir W. Hoste, without any court martial having been held on him. After this, he and another man were put ashore, and left to shift for themselves as they could. It was worthy of consideration, that the petitioner was a pressed man; and, having served for a considerable time, pay and prize money were due to him, to the amount of 550*l.* when he was forcibly driven from the ship, and marked in the books as a deserter, which destroyed his claim to that which he had fairly earned. Immediately after that occurrence, he had been taken into the service of an English gentleman travelling on the continent, of the name of Dowdswell, and since that period, of several others, all of whom were ready to bear testimony to the goodness of his conduct. Whatever his fault might have been, it was extremely hard that he should be deprived of his wages. He understood it was a general rule, where a seaman deserted from the service, to stop his pay and prize-money. It appeared to him to be a very severe rule, that a man, who had been forced into the service, and had remained there for many years, should be deprived of the money he had earned, because he left his ship without leave. The petitioner, however, stated that he did not desert, but was sent from the ship. On what ground, then, could his pay and prize-money be withheld, as it was at the present moment? He hoped steps would be taken, in the proper department, to explain this transaction, or he should be obliged to institute some proceedings on the subject. He should now move " That this petition be brought up." He had a second petition, signed by many respectable persons, who knew the petitioner, commiserated his situation, and called on the House to attend to his statement and grant him relief.

Sir *Isaac Coffin* said, that this petition had been put into his hands, a few days ago, by an honourable alderman, but he refused to have any thing to do with it, because he understood that the petitioner had been detected in some improper practices with a person of the name of Grimaldi, when on board the Mutine, which occasioned his desertion. Seventeen years had elapsed since the conduct he now complained of had taken place, and, during that long period, this man had never laid his case before the admiralty. Doubtless he had considered himself well off not to have been hanged for the offence he had committed.

Mr. Alderman *Wood* said, it was very true the petition had been placed in his hands, but he did not think he was justified in presenting it. He made many inquiries on the subject from the gallant officer opposite, and from him he understood that a correspondence had passed between the admiralty and different officers under whom the petitioner had served, and also that sir W. Hoste was likely to return to England very speedily. As he knew that the petitioner could bring his action against sir William, when he returned to this country—as his petition was in the hands of a respectable solicitor who would do every thing in his power to serve him—and as the man with whom the petitioner went away stood in a very suspicious situation—he conceived it better to give up the petition, as he did not think he could render the petitioner any service.

Sir *I. Coffin* observed, that the subsequent testimonies to this man's character, which the hon. baronet alluded to, had nothing to do with the antecedent offence.

Sir *G. Cockburn* said, the practice regularly adopted in the navy was this:—the ship's company were mustered in the presence of the officers once in every week; the names of those who did not appear were dotted;—and, if three dots were affixed to a sailor's name, it was distinguished by the letter R., signifying that he had run from the ship. After this, he would not be paid his wages without an order from the Admiralty, and his prize-money became the property of Chelsea hospital. That hospital having a vested right in such prize-money, it would be the height of injustice in the Admiralty to attempt to take it away. Now, it was most extraordinary that the petitioner, who was described to be a needy man, having this large sum due to him, never applied to the Admiralty from the year 1801 until 1817. The hon. baronet endeavoured to account for this delay, by stating that he was travelling on the continent with his master. It was not, however, to be supposed that he had been travelling for sixteen years. When he applied at the Admiralty to have the R. removed from his name in the year 1817, captain Hoste was referred to. Captain Hoste's answer, which he then held in his hand, was couched in these terms:—"I have to acquaint you, that I perfectly remember Crook's desertion from the ship at Naples or Malta, and I recollect also the desertion of the other man who was found in the hammock with him." The petitioner stated, that this man had received his wages. In consequence, the Admiralty caused inquiries to be made at the navy board, and they discovered that Grimaldi had also run—that he had not received his wages—and that, in fact, he had not applied for them. Crook, finding he could make nothing of this proceeding in 1817, waited till sir W. Hoste was out of the way, and made the present application to the House. He had, it appeared got the lieutenant to say that he did not run, but was turned out of the ship. Captain Hoste, however, would, he had no doubt, persist in his statement that he had deserted. Unfortunately the other 16 signing officers were dead. Looking to all the circumstances, he was inclined to attach more credit to the statement of the captain than to that of the lieutenant. The circumstances, taken together, made strongly against the petitioner; and, after considering them, it would be for the House to say, whether the petition should or should not be brought up.

Mr. *Bennet* inquired whether any proof of a criminality had been adduced against the petitioner. If there was not, it was not right that he should be deprived of his wages.

Sir *G. Cockburn* answered, that the officer who had been applied to, said the petitioner was found in an indecent situation with another man, and had in consequence been turned ashore. The argument seemed to be, that he must have his wages, although his character could not be restored.

Sir *F. Burdett* said, the petitioner's statement was, that a drunken man came to his hammock in the night, swearing that it was his own. The petitioner resisted, and the intruder cut him down, by which he was severely wounded in the head. There never was a charge of the kind now insinuated brought against him; much less was any inquiry instituted with respect to it. Added to this, many persons came forward to give him a good character, amongst whom were several officers under whom he had served. He did not think the gallant admiral was treating the petition with fairness or candour, when he met it with an unsupported allegation of this kind. It was a base insinuation to throw out against any man; and such a course of proceeding rendered it more particularly necessary for the House to examine the merits of the case. The lieutenant said, the petitioner was put on shore—that he was compelled to quit the service. If he had committed any crime, that was not the mode which ought to have been pursued with respect to him. He should have been punished, instead of being forcibly obliged to leave the ship in a state of distress and indigence. Afterwards, in order to cover an act improper in every point of view, the letter R. was affixed to his name. The memory of capt. Hoste, whom he respected as a gallant officer, did not, at all times, appear to be equally clear on this subject. He had seen letters of his, written to the petitioner in 1816, in which he did not speak positively, but said, " if you have been marked R. on the books of the Mutine as you say, I presume it is so." This was at best a doubtful evidence as to the fact of the petitioner's having deserted.

Sir *G. Cockburn* said, the accusation against the petitioner did not rest on mere surmise. The letter said, that Grimaldi was seen coming out of the petitioner's hammock. There was no mention made of the hammock having been cut down. Though an officer might, at a considerable distance of time, suppose that the petitioner was sent out of the ship, the probabilities were, putting all the circumstances together, that he had deserted.

Mr. *Lyttelton* said, he knew not from what source the hon. baronet had drawn the expression of indignation which he had directed towards his hon. friend and kinsman, because he stood forward to rebut the serious charge that had been brought against a gallant officer. He did not know that gallant officer; but he certainly felt very strong indignation, when he beheld the character of an honourable man attacked on the slight and unsupported surmises of an infamous person, for such he considered the petitioner to be. The hon. baronet complained, that the petitioner had not been brought to trial; now, as the petitioner had deserted, what opportunity was there for trying him? But, in a case of this kind, was it not more prudent in the commander of one of his majesty's ships to punish the individual, and not to notice the fact farther, instead of proclaiming it to all the world? If the petitioner had not been conscious that he was charged with some offence too scandalous to bear the light, would he not have brought the matter to issue, in some way or other, during a period of sixteen years? Now, the circumstance was brought forward, when, of necessity, the best evidence that could be adduced must be defective. The worthy alderman, to whom the petition was first intrusted, appeared to have formed a proper estimate of it, and had acted very properly in rejecting it. It would much better become the hon. baronet, if, before he presented petitions, he would inquire into the verity of the facts they contained, instead of coming down at once, without the smallest particle of conclusive evidence, and indulging in declamatory statements about justice, when there was no proof whatever that any injustice had been committed.

Mr. *Croker* said, the accusation levelled at the petitioner's character was not gratuitously introduced. It was stated by sir William Hoste, that this man, to whom a large sum of money was said to be due, had run away. It was asked, " Why did he desert—it is not likely he would do so, when so much wages and prize-money were due to him?" The answer was, because he was detected in indecent practices. It was necessary to sir W. Hoste's case that he should show some paramount and overwhelming reason in the case of this man, to account for his conduct. He could not agree that this petition should be received. It was not in the power of the House to grant to the petitioner his wages. He had his action at law; he might bring an action against sir W. Hoste for having cast scandalous imputations on his character, or for improperly causing the letter R. to be affixed to his name, by which he had lost his wages. Unless by law he established his character, or showed that the R. was improperly placed against his name, he could not get the money which he claimed. When the courts of justice were open to him, to them the petitioner ought to apply. It would be a bad precedent to receive such a petition as the present.

Mr. *Ommanney* defended the conduct of sir W. Hoste.

Sir *F. Burdett* wished to mention two or three of the testimonials to the character of Crook [A cry of spoke! spoke!]. If the House were in such a state of impatience as to prevent it from doing mere justice to an oppressed man, he was quite willing to drop this and every other subject. Admiral Hardy bore testimony to the good conduct of the petitioner while on board the Mutine, and this was confirmed by the lieutenant; independent of which, the surgeon spoke to the propriety and regularity of his general deportment. The real question was, whether the House was not bound to inquire into the abuses of power by naval officers of high rank? The subject could no where be taken into consideration so well as before a committee: if it was there discerned that the petitioner had no claim, the decision would be satisfactory to the country; but at present the House had no information on which it could act in putting a negative upon the demand.

Dr. *Phillimore* said, it was most extraordinary, that the hon. baronet, in the different interviews he had had with the petitioner, should never think it necessary to ask him why he had suffered 17 years to elapse before he made his complaint? The hon. baronet had produced testimonials in favour of the petitioner's character, dated in 1797, 1798, and 1801. Was it on evidence such as this that the House were to be called on to assail the character of sir W. Hoste? The silence of the petitioner for the last 17 years was evidence that his claim was not a just one. Were he alone in the division, he would oppose the reception of a petition, assailing on such grounds the character of such an officer as sir W. Hoste.

Colonel *Wodehouse* said, that every one knew sir W. Hoste's public achievements; and he would add, that of all men with whom he ever had had the slightest intimacy, that gallant officer appeared to him to be the most unlikely to commit an arbitrary act of power.

The House then divided; For receiving the Petition, 2; Against it 206: Majority 204.

### *List of the Minority.*

| | Tellers. |
|---|---|
| Palmer, C. F. | Burdett, sir F. |
| Pryse, Pryse. | Harvey, D. W. |

Grampound Bribery.] Lord *John Russell* said, he felt very much encouraged to bring forward the motion he was about to submit to the House, by the spirit shown in the House last night. He should be sorry, indeed, if there prevailed any disposition in the House to encourage or to protect such disgraceful corruption as that to which he was about to call their attention. By the general spirit shown last night, it was evident there was no such disposition in the House; on the contrary, he was convinced that the House entertained a strong desire to free its character, and the character of the country, from the stain which unchecked corruption would attach to it. He did not mean to throw the least slight on the judgment of the election committee which tried this case, nor was it his wish to question the decision of that committee. But convictions in courts of law were grounds for proceeding on in that House, as well as the decisions of election committees. It was well known that convictions in courts of law often induced the House to expel its members, and to institute other proceedings, as well as the decisions of election committees. The noble lord then proceeded to state to the House the proceedings at, and previous, to the late elections for Grampound and Barnstaple, and of the convictions of sir Manasseh Lopez and several electors of those boroughs, at the assizes for Devon and Cornwall. No practice was more to be reprobated than that of men who employed their property like sir M. Lopez, in going from borough to borough, for the purpose of purchasing the voters, and afterwards disposing of their influence. It was no doubt easier for a member to acquire consequence in that House by supplying an administration, pressed with difficulties, with five or six votes, than by distinguishing himself by studying the laws and institutions of his country. It would appear that this individual had been long engaged in the purchasing of boroughs in the counties of Devon and Cornwall; he was every where carrying on a vast and extended campaign against the English constitution. It appeared that sir M. Lopez, and the voters convicted along with him, were not yet brought up for judgment. It was competent to the House to direct the attorney-general to take steps that these persons be brought up for judgment, and then they might proceed on the convictions to order an investigation into the state of the borough of Grampound. He wished that the question should be taken up in some shape or other, and he brought the subject now before them, in order that they might determine as to the most advisable course of proceeding. The country would be justly indignant if a subject of this nature were passed over without notice. If they did not endeavour to wipe away every such blot on the constitution, they would assist the efforts of those obscure and miserable men who were endeavouring to destroy our constitution. The noble lord concluded with moving for the production of the records of the conviction of sir Manasseh Lopez for bribery at the late assizes for Devon and Cornwall, and of the conviction for bribery of a number of individuals concerned in the elections for Barnstaple and Grampound.

Mr. *S. Bourne* said, the records of the convictions would be voluminous documents, and suggested, that it might be adviseable to obtain the necessary information respecting them in a more convenient shape for the House.

Mr. *Scarlett* suggested that it might be sufficient if the clerk of the assizes or of the Crown sent extracts of the material parts of the proceedings.

Lord *Castlereagh* observed, that it was competent for the House at once to enter into an inquiry into this subject, without being delayed by the proceedings of courts of law.

Mr. *W. Williams* said, that he happened to know that at present the record had been taken out of the hands of the associate by the attornies for the party, Messrs. Lamb and Hawke, by whom it should have been lodged in the Crown office. They had, however, not done this, and he feared the motion of the noble lord would thus not be productive of the end proposed. He suggested the calling to the bar the associate.

Lord *Castlereagh* said, the order of the House would of course be imperative on any public officer.

Mr. *W. Williams* said, the misfortune was, that the record of the conviction was not in the hand of any public officer.

Sir *J. Mackintosh* said, that if the record had been delivered by the public officer to any private person as a receipt, the House must still consider the document to be legally in the custody of the officer. There would of necessity be some officer whose duty it was to preserve it.

Mr. *W. Williams* observed, that the associate was obliged to deliver the record to the attorney, who had to return it to the Crown office.

Mr. *Scarlett* said, the original must have been kept in the Crown office. A copy called the *nisi prius* record was sent down to the assizes, which was lodged with the associate to be returned with the postea. Copies of the material part of the original might therefore be obtained at the Crown office, and the fact of the conviction, if not obtainable from the *nisi prius* record, might be ascertained by examination of witnesses.

Mr. *Denman* thought the House could only receive information of the conviction regularly through the *nisi prius* record.

Mr. *Wynn* considered, that it would be enough for the House to issue its order to be served on the proper officer. If that officer made a return, that he had delivered the record to another, the House could take steps to obtain it. It was not their business to anticipate a difficulty.

Lord John Russell consented to withdraw his motion, and shortly after moved for extracts of the material parts of the several indictments, whereon sir M. Lopez, and several other persons, were tried and found guilty of bribery, at the late assizes for Devon and Cornwall; which motions were agreed to.

MARQUIS CAMDEN'S TELLERSHIP BILL.] The *Chancellor of the Exchequer* said, that if the motion which they had just heard was calculated to maintain the constitution in its strength, by maintaining the purity of that House, he had now to make a motion, which would not be less beneficial, by throwing lustre on the body of its nobility. His motion was for a bill to enable the public to accept the magnificent sacrifice of the marquis Camden. The right hon. gentleman then entered into a summary of the origin and nature of the office of tellers of the exchequer, the causes of the increase of their emoluments, and the measures taken in 1780 for restricting them after the death of the then existing holders as reversioners, to 2,700*l.* a year. The marquis of Buckingham and the marquis Camden, the holders of the unreduced tellerships in 1813, when these offices produced to each of them, on account of the large public expenditure, as much as 17 or 18,000*l.* a year, voluntarily gave up to the public service, during the remainder of the war, all the surplus beyond the income regulated by Mr. Burke's bill. The public was soon after deprived of the services of the marquis of Buckingham by death, but from the donation of the marquis Camden in this shape, as well as former contributions from his office and his private fortune, the country had derived 45,000*l.* After the conclusion of the war, the marquis Camden made a farther sacrifice of the surplus, which the public was enabled to accept by an act which passed to authorise contributions on the part of his majesty's ministers and other public officers. That act had expired, and the noble marquis was now desirous to be enabled to give up to the public, for the remainder of his life, the surplus of his official income beyond the sum paid to the tellers more recently appointed under Mr. Burke's bill. This surplus, in years of peace, amounted to about 9,000*l.* a year. Doubts had arisen whether this contribution would not be considered illegal as a benevolence, and whether, therefore, it could be accepted by the exchequer, unless it were authorised by parliament. Whether these doubts were or were not well founded, there was no question that the proceeding by an act of parliament was the more proper and more dignified way, and he had no doubt but that the House would receive the proposal with the honour and attention which so signal an instance of patriotic munificence merited at their hands. [Hear, hear!]. He then moved for leave to bring in a bill "to authorize the Receipt and Appropriation of certain Fees arising therefrom."

Lord *Castlereagh* observed, that his object in rising to second the motion of his right hon. friend, was simply to give expression to what he was sure must be the feeling that pervaded the House in contemplating this transaction. The extent and nature of the sacrifice made by the noble marquis had been already stated. It was right, however, that the House should be apprized, that during the three years previous to the peace of Amiens, he had sacrificed to the public no less a sum than 24,000*l.*, which added to the sum of 18,527*l.* during the last two years of the war, and what had been since contributed on the reduced scale, raised the sum total already relinquished to 61,740*l.* He made this great sacrifice, out of deference to the feeling with which, it appeared to him, the last unregulated office was regarded. The effect of this present offer was to surrender for the term of his future life, a sum which in time of war exceeded 18,000*l.* per annum, and was during peace not less than 9,000*l.* It was not claiming too much credit for such an act voluntarily performed under all the circumstances which attended it, to say, that a more splendid sacrifice of private right to the public service was never heard of in any state. As a patent office, it might fairly be considered a legal estate, and had been always so considered by that House. It should be remembered also, that it was an office which had not been conferred as an act of grace or favour on the noble marquis himself, but which he had inherited from his father, to whom it had been granted by way of compensation for giving up the high and dignified appointment of chief justice of the Common pleas, in order to enter into the political service of the country.

Mr. *Tierney* professed the most sincere satisfaction in contemplating the occasion which had been afforded for the present discussion. He had always felt, and frequently expressed, his regret, that the conduct of marquis Camden in this instance should be passed over with so little public observation. He could assure the House, that he wanted words to express his admiration of this princely sacrifice of private fortune. It was a magnificent donation to the country, made under circumstances which greatly enhanced its character of nobleness and generosity. The House had a few years since, on occasion of a motion brought forward by an hon. friend of his (Mr. Creevey), recognized the principle, that the emoluments of the office in question were private property. To that principle he had given his support, conceiving it to be founded in reason and justice. Were he now to mention the nobleman who in his opinion stood the highest in this country, he should certainly name Lord Camden, whose attachment to his country must be truly strong, to induce him to abandon what had been earned for him by his illustrious father [Hear, hear]. He trusted that a motion would be made for placing some memorial on the journals of the House of so singular an example of disinterestedness. There were precedents for such a proceeding, and no occasion could be fitter for recording the sense of parliament than this great pecuniary sacrifice [Hear].

Lord *Carhampton* could not accede to the proposition, that the grants of the Crown were equivalent to fee-simple property, and could not be re-modelled by parliament. With regard to the case under consideration, he highly admired the generosity of the noble marquis.

Mr. *Tierney* explained. He had only meant to say, that there was a vested interest which could not be forfeited except by abuse of the office, and had never contended that to correct this was beyond the competency of parliament.

The *Chancellor of the Exchequer* concurred in the principle as laid down by the right hon. gentleman. The noble marquis had an interest, which, although not equal to a fee-simple, amounted to a legal estate for life.

Mr. *Bankes* agreed, that patent offices were in the nature of freehold property. With respect to the case before them, he believed that no previous example of such munificence could be found. The admiration which it had called forth ought to be expressed *amplissimis verbis*, in the preamble of the bill they were about to pass. The office in question was derived from a father equally distinguished for talents and integrity, a man venerable as one of the most learned and constitutional lawyers that ever adorned the seat of justice. The present marquis was one of his earliest private friends, and he hoped the House would allow him to suggest the words by which their sense of his magnanimous conduct should be testified to posterity.

Mr. *Wilberforce* wished also to bear testimony to this zealous and noble instance of disinterestedness and public virtue, and to join in that tribute of respect which had been so handsomely rendered by the right hon. gentleman on the floor. He regretted with him, that the sacrifice already made should have been hitherto suffered to pass with so little notice, and he felt himself bound to declare, that the manner in which it was made indicated a truly generous and noble mind.

Mr. *C. Long* bore testimony to the cheerful and unostentatious manner in which the noble marquis had performed this act of munificence.

Mr. *Bankes* said he should propose the insertion of the words he had mentioned after the second reading.

Mr. *Martin*, of Galway, said it was the duty of the country to meet this generous proposition with something as magnanimous, and he should propose that they should refuse the gift [A laugh]. Gentlemen of narrow incomes might put their circumstances *en gene* by following so dazzling an example.

Leave was given to bring in the bill.

OPHTHALMIC INSTITUTION.] Mr. *J. P. Grant* rose, pursuant to notice, to move for certain papers relative to the expense of the Ophthalmic hospital and contingencies, now introduced into the army estimates for the first time. He brought this motion forward, because the expense appeared to him perfectly of a novel nature, in order that it might be ascertained whether such expense was necessary or not. The noble lord connected with the war department having said he should have no objection to give every information on the subject, he was much surprised to learn, on laying his motion before him, that the papers it called for were such as the noble lord declined to grant. From the information which he (Mr. J. P. Grant) had received, the case was this. The ophthalmia having prevailed to a considerable extent in our army, an hospital had, during the war, been established at Bognor for the cure of that disorder; great cures of it had been effected; and the disease was found of late years to have happily abated in the army. Notwithstanding this, in a time of peace, and at a moment when public economy was so much talked of, not only a new establishment was formed, but a gentleman (Sir W. Adams) was placed at the head of it, who never had been in the army; and who had therefore no claim to military patronage; who was in fact, an oculist of this town, and who, though he was not even now in the army, was placed over the heads of many eminent men who had devoted their lives to the service of their country, and who were now receiving half-pay. The services of these men might, it appeared to him, have been very properly called for when such an institution was thought necessary. Of the professional talents of the gentleman who had thus received the appointment, he knew nothing, he had heard that they were very respectable, and he believed it; but however that might be, he could not see why any gentleman, no matter how able in his profession, should have been selected in preference to many skilful and meritorious military men. The formation of the new establishment might be a right or a wrong measure; and, as to ascertain that was his only object, he should avoid unnecessarily entering into minute details. The hon. member concluded by moving for copies of all letters or communications that had passed between the Commander in Chief, the Secretary at war, and the army Medical Board, relative to the soldiers or Chelsea pensioners affected with the Ophthalmia, since the appointment of the present director of army hospitals. He also moved for copies of all reports or representations made from Chelsea college respecting Chelsea pensioners under the care of sir W. Adams; and for various other papers connected with the same subject.

The motion having been seconded, and the question put,

Lord *Palmerston* rose and said, he was far from being sorry that this opportunity had been afforded to him for explaining the nature of the Ophthalmic institution; and he hoped, he should be able, before he sat down, to convince the House that it was not one undeserving the support of the government. During the war, the ophthalmia had made an alarming progress in the army; an hospital for the treatment of the disease had, in consequence, been established; but the practice there certainly did not turn out so successful as could have been wished. He said this without meaning at all to reflect on the head of that establishment (Dr. Vetch), from whom, he believed, the hon. gentleman had received most of his information on this subject, and who, he understood, had been of opinion that he ought to have been made the superintendant of the new establishment, instead of sir W. Adams. It was the anxious wish of his royal highness the commander in chief to ascertain the best mode of treating ophthalmia. Sir W. Adams was said to have introduced a new and improved system. To make a certain trial of its effects, a number of pensioners afflicted with the disorder were placed under his care, and the result was, that a rapid and important improvement was observed to take place among them. The treatment of these poor people gave the highest satisfaction.—Sir W. Adams succeeded in rescuing many of them from a state of utter hopelessness and misery, and enabling them to become useful to themselves and to society [Hear! hear!]. This was not all, for in 1814, sir William's practice received the decided sanction and approbation of a number of medical gentlemen expressly appointed by government to examine its merits. To show the weight to which their opinions were entitled, he had only to mention the names of Sir H. Halford, Dr. Baillie, and Messrs. Home, Cline, A. Cooper, and Abernethy. The noble lord then quoted the following passages from the opinion of Dr. Baillie:—"I think he has the merit of introducing a practice which is likely to be highly useful in a particular chronic state of ophthalmia." And again—"His mode of operating by a knife of his own invention promises to be much more efficient, and to be more expeditious in accomplishing the cure, than that of Mr. Saunders, and likely to preserve the eyes of many individuals, which would otherwise have been lost." He also read extracts from the opinions of some of the other gentlemen alluded to, which were of a similar purport. Accordingly, the foundation of a new institution for the exclusive treatment of pensioners belonging to the several departments of the public service was resolved upon. But the new mode of treatment had been invariably opposed by the army medical practitioners, so that it was useless to think of associating Sir W. Adams with them; and the only way of rendering his system generally available was, to place himself at the head of the establishment.—In 1817, a part of York hospital was appropriated to the purpose with two medical officers assigned to act under sir W. Adams, and up to this time, the establishment had continued on this footing. The York hospital being found inconvenient, and moreover in the way of some improvements which lord Grosvenor, to whom the ground belonged, was about to make, an arrangement was made with an architect, who engaged to take a lease of some crown lands in the Marylebone fields, adjoining the Regent's park, and to build an hospital at his own expense, on condition that the public should rent it for seven years. The rent then of the building was the only expense that would fall on the public, while a tenant was secured till the expiration of the lease. It was due to sir Wm. Adams to state, that he stipulated for no compensation whatever for his services; that he had been on the establishment now for a year and a half, attending with the utmost zeal and assiduity, without having received any remuneration whatever; leaving that to the consideration of government, to be estimated according to the success of his system.—What he had now said was in part an answer to the objection on the score of expense, because, if any military man had been appointed to preside over the new institution, he would have expected to be paid in proportion to his trouble and responsibility; and therefore the proposition being assumed, that an hospital for the treatment of ophthalmia and its effects, ought to have been erected, his statement showed, that, as to expense for medical assistance, it had been established on the most saving plan. It would be tedious to go through the various objections successively raised against sir William Adams's practice. First, it was said not to have been successful—but that objection was overcome by the success attendant on repeated public experiments. Then it was alleged that the ophthalmia had been eradicated; while it appeared, on incontrovertible evidence, that at the very time whole regiments were labouring under a most severe inflammation in the eyes, which, let it be called what it might, terminated in blindness. Next it was urged, that if the disease were not extinguished, the surgeons of the army were as competent to cure it as sir W. Adams. To which the latter replied, "it may be so, but your competency appears five years after you have availed yourself of the improvements which I introduced." [Hear, hear.]—This indeed was the fact, for sir W. Adams had cured many persons who had been under the care of the army surgeons without obtaining any benefit. He (lord Palmerston) had himself inspected a number of the cases treated in the new institution, and he could assure the House, that never in the course of his life had he enjoyed a greater gratification. He had found that, in various instances, relief had been afforded to the patients to a degree that he could not have thought possible.—[Hear.] He should not trespass much longer on the time of the House—but he should beg leave to describe one or two of the cases with which he was acquainted from his own personal knowledge. Wm. Hill, a soldier in the 63rd regiment, was admitted into the hospital in July, 1817; his eye-lids were villous with opacity and vascularity of both cornea; Hill himself described his state of vision at that time to be such, that he could not distinguish a post or a tree. He was discharged in January last, the villosity of the lids and opacity and vascularity of the cornea having been removed, and the opacity of the left cornea nearly so. With the right eye Hill could read the smallest print of a newspaper fluently; with his left he could read moderately sized print, tell the minute and second marks on a watch-dial; and he said he could, on a clear day, discern large objects at the distance of a mile. Charles Smith said, that on his admission in June, 1818, he could not see his fingers at arm's length; he was discharged in January last, at which period he could read very small print, write, and work at his trade of a shoemaker, having, in fact, worked several weeks at the hospital previous to his discharge. Gavine Young, on his admission, could only distinguish light from darkness. He was admitted in July, 1818, and discharged in Jan. 1819; being able to walk any where with perfect ease and security, read small print, and tell the hour by a watch. Another pensioner, who had been 30 years afflicted with disease in his eyes, and describing himself as unable to distinguish one object from another, left the hospital in a condition to resume his trade as a goldsmith.—He begged pardon for going into these details, and should mention but one case more. It was that of John Silver, a soldier of the 89th regiment, who was forty-eight years of age, and who for the preceding seventeen years, was so much afflicted, as to be able merely to distinguish light from darkness. This man, within less than four months, after being placed under the care of sir W. Adams, could walk any where alone, and by the assistance of a glass, could tell the hour by a watch. Having himself examined this as well as the other cases, he could testify to the facts he had stated, and to the accuracy of the late report from the Ophthalmic hospital. Nothing could exceed the delight and gratitude with which these poor soldiers described the benefits they had received from sir Wm. Adams's treatment; and it was one of the most pleasing sights that had ever fallen to his lot, to witness the gratifying effects of that treatment.—He had already stated, that there was a great opposition and prejudice against sir W. Adams among the medical gentlemen of the army. He should now produce a remarkable instance of it, but was unwilling to mention names. Two men of the 64th regiment were taken from Chatham and put under the care of sir W. Adams in the Ophthalmic institution. After undergoing treatment there, they were inspected by the Staff surgeon of York hospital, and considered so far recovered as to be reported to be fit for foreign service, and they were ordered, as a preparatory step, to the Isle of Wight. The surgeon at that place disagreed with the Staff-surgeon, and pronounced the men unfit for foreign service. Accordingly they were kept at the York hospital, doing garrison duty from September till November, and then sent back to Chatham. Among the other charges against the new practice was this, that persons supposed to be cured of the effects of ophthalmia were liable to a relapse, and of this it was thought, these two men would furnish an example. With a view to produce such an example, a medical officer in town had written a letter, a copy of which he begged leave to read to the House. This letter was dated, London, 18th February, 1819:—"My dear—; I was much disappointed at the two men of the 64th regiment not having been sent to the last Chelsea board, as I had arranged matters in such a manner that they were to have gone to the board, and the attention of the commissioners was to have been directed towards the state of their eyes; and all this was done quietly, without any person connected with sir W. A. knowing any thing concerning the business. I would recommend you not to mention their names in any correspondence you may have here, at all events till they are snugly lodged in the York hospital. I hope you have not meddled with their occhi, and that you will not prevent their getting drunk, so that they may have proper vascular cornea. I this morning saw two of my old patients from Chatham, who had passed the Chelsea board about a fortnight ago, and who were taken, with several others, into the Knight's hospital; Gorden and M‘Gee. The former has already been dismissed from the hospital without any thing having been done to his eyes, and the poor fellow complains of having been prevented going home and detained here. The latter, M‘Gee, did himself the honour, as he termed it, to call upon me to-day to pay his respects, and to thank me for my attention to him when he was under my care. I examined his eyes minutely, and everted the lids, not however with the *elevator*, as I do not carry such an instrument (although I am informed that you do). His eyes are looking remarkably well, and the linings are perfectly smooth. I cautioned him particularly against drinking lest he should induce a relapse, and he promised faithfully to obey my injunction I also saw Burton of the 86th regiment, one of the same batch whom he had taken into the hospital. I take it for granted you recollect the man's case perfectly. He was likewise an old friend of mine. There was, when I saw him (about a week ago) a large vessel running from above downwards, over the cornea of the right eye. The left appeared to be very well. I had not an opportunity of examining him particularly, but I shall take an early opportunity of doing so, which I shall the more readily accomplish as I have just heard that the poor knight fell from his horse yesterday, and received a severe injury of the knee, but I have not learnt the particulars."

This letter having been addressed "On the public service," and sent from the medical board, it was attempted to forward it free through the War-office. But the examining clerk, whose duty it was to read all letters before they were franked, lest the privilege of the office should be abused, discovering that this was a private letter of a peculiar nature, very properly submitted it to his (lord P.'s) view, and he felt it his duty to take notice of it. Letters sent to the War-office to be franked were usually sent open, as this letter was, but although the office had by law the power to examine such letters before they were forwarded, he (lord P.) had reason to believe, that it was pretty generally supposed in the army this power was rarely if ever exercised. This, however, was a great mistake, as, to his knowledge, for some years that duty was regularly executed according to law; a clerk being specially appointed for the purpose. Whether this duty was neglected, and the public revenue defrauded through an abuse of the privilege of the office at other times, he could not pretend to say; but since his accession to the appointment which he had the honour to hold, he had taken special care that no such neglect or fraud should take place, and that the prescriptions of the law should be strictly enforced. It would be seen from this insidious letter, that while the writer was anxious that the patients of sir Wm. Adams should be allowed to get drunk, in order that they might have a relapse, or, as he so classically termed it, "a *proper* vascular cornea," he very particularly enjoins his own patients not to get drunk, lest they should induce a relapse. But what would the House think of the disposition and principles of this writer, when informed, that at the very time he wrote this letter, he was making the strongest professions of friendship for sir William Adams, when he was soliciting for an appointment in the new establishment, and that sir William was actually endeavouring to promote his views? The House had, he admitted, a right to decide whether the establishment ought or not to be kept in existence; but he deprecated its making itself a party in the contest on the pretensions of professional adversaries. He wished those he addressed, to visit the institution—to examine it in every part, and on the decision they might then come to, as to its value, he would cheerfully risk its fate. But he had only to entreat that they would at the same time recollect the magnitude of the privation, and the extent of the calamity it was instituted to alleviate. The whole expense would not exceed 1,500*l.* a year, and if it restored even a few veterans to that degree of vision, that they would be less a burden to themselves, and be enabled to spend the evening of their days with a greater degree of comfort, he could not believe the House would withhold this valuable relief from the poor disabled soldier or sailor when purchased on such easy terms [Hear, hear]. He said again, that he was willing to stake the existence of the hospital on a personal inspection of its visible and actual effects. Let gentlemen go there and judge of it by questioning the men themselves: let them ask them what was their state on entering it, and see their state previous to being discharged; but he could not consent to the production of the papers, as he thought they would not contribute to real information, or lead to useful discussion. It would indeed be obviously improper to make that House an arena for medical controversy, which would be much better carried on through the press, and more properly left to the judgment of the public.

Sir *J. Mackintosh* remarked, that the noble lord had said the papers ought not to be laid before the House, as they would only make it acquainted with one side of the question. But the noble lord spoke on one side of the question; why then object to let the House be made acquainted with the other? The noble lord said, the merits of the parties opposed to each other on this occasion ought to be left to the discernment of the public. Right! He would agree to this, but the expense of the new establishment ought also to be left to be decided on by the discernment of the public. The House owed it to that justice due to the medical officers of the army, a body of men who had distinguished themselves as much as any other part of the service during the war; and who in the judgment of all Europe had contributed eminently to the advancement of their art, to institute the fullest inquiry into the reasons of their being superseded on this occasion by an individual not connected with the army at all. They could not but feel hurt at being passed over in this manner. The noble lord had dwelt much on the letter he had read; now that letter had been produced either as a specimen of the general conduct of the army practitioners, or as an exception to it. If the latter, it all came to nothing; but if it were exhibited in the former view, the noble lord ought in fairness to have given, and he now called upon him to give, the name of the writer, that it might be disavowed, and that a whole body of respectable men might not suffer in character for the act of an individual. The true question was, whether there was any such superiority in the gentleman appointed, as to justify the putting him above all medical officers at the end of a protracted and arduous war, in the course of which they had rendered the greatest services to their country. He wished to ask the noble lord, if, since the Report in favour of sir William Adams, which he had mentioned as having been made in 1814, one of a different nature had not appeared? If he were not grossly misinformed, some of the greatest medical men in the world were decidedly adverse to the system of sir William Adams. To visit the establishment, as recommended by the noble lord, would be useless, unless those who did so had an opportunity of comparing the patients under the care of sir Wm. Adams, with the same number of similar cases under the care of the medical officers of the army. He did not mean absolutely to affirm, that he differed in opinion with the noble lord, that the gentleman in question was not properly selected, or that the course pursued was wrong or unjust,—but he did say, that what was due to a large body of gentlemen, required that their opinions, stating the grounds on which they differed from that individual, should be laid before the House. The very circumstance of his treatment being made a secret had something suspicious in it, and was completely opposite to the uniform practice of enlightened men. [The hon. and learned gentleman was here interrupted by lord Palmerston, who declared he had not said a syllable of sir Wm. Adams's practice being kept secret, that practice being, on the contrary, made completely public]. He should sit down expressing his decided opinion, that the House would not deal fairly, if they did not cause the papers to be produced.

Mr. *Hutchinson* said, that the noble lord was entitled to great praise for his exertions to eradicate one of the most painful and afflicting of disorders. It had been his lot, from circumstances not necessary to detail to the House, to see many an example of the melancholy and grievous effects of ophthalmia, and from all he saw and knew on the subject, he thought it well worthy the attention of the noble lord to make every effort, and institute every experiment with a view to eradicate that disorder. Would to God that it were eradicated, but melancholy and convincing proofs to the contrary were too easily discovered! The hon. and learned gentleman who opened this debate had laid two grounds in support of his motion: first, that the disease was already eradicated; secondly, that the new institution was putting the country to an unnecessary expense. As to the first, no one would rejoice at such a consummation more than himself; but it was a truth not to be disguised, that cases of the existence of ophthalmia were of every day's occurrence, not only among the military, but in civil life—and it behoved the House to guard itself from being led astray by such a delusion. With respect to the expense, he thought 1,500*l.* a year, the estimated charge of the new establishment, very properly laid out, even on an experiment for the eradication of ophthalmia. The hon. and learned gentleman who had spoken last, had made a most invidious statement as to the implied superiority of sir W. Adams over the medical officers of the army. He was ready to acknowledge that they were a class of men who had performed distinguished services to the nation, and to whom it was very deeply indebted; but, on the other hand, he thought that if the noble lord (Palmerston) had discovered, or thought he had discovered, any thing attended with greater success in the mode of treatment observed by the gentleman he had mentioned (a gentleman the most celebrated as an oculist, and of whose astonishing success and wonderful cures every member who heard him must have known instances), he was fully justified in availing himself of his assistance. It appeared that previous to his employment at the head of the institution, patients had been placed under his care who had already been treated in vain by the army surgeons. He had produced many cases from these where a total cure, or material benefit, was effected by his practice; and this made a very strong case in his favour [Hear]. He wished sir W. Adams to have a fair and full trial, and if his practice should realise the hopes entertained in founding the institution, it would be more than an ample return for all the charge incurred. Such expense was indeed quite insignificant when put in competition with the object it was meant to accomplish. The noble lord, in his opinion, was right in refusing the papers. He was always ready to support any motion for inquiry upon proper grounds, but he could not consent to load the table of that House with voluminous documents containing *ex parte* statements, all indeed presenting the mere effusions of professional jealousy or private pique against the character and conduct of an individual. On the whole, he conceived that the grounds taken by his hon. friends near him did not bear them out in the remarks which they had offered on the motion which they pressed.

Mr. *Barham* thought the noble lord fully justified in withholding his consent for the production of the papers, and that for two reasons; first, because they were not necessary to enable members to form an opinion on the merits of the new institution, as, if the hon. gentlemen who supported the motion had taken the trouble to make inquiries, they would have found that there were other documents easily obtained, which were fully sufficient for that purpose, without having recourse to any others; and, secondly, because the papers moved for were not fit to be produced, and would be of little use, unless the House were prepared to go into the whole of the contest. His hon. and learned friend, the mover, had been misinformed if he thought that the ophthalmia had totally disappeared in this country; for but two years ago thousands of our soldiers were labouring under it—and at this moment the country was paying pensions to 5,000 persons totally blind from its effects, the aggregate of those pensions amounting to 92,000*l.* The question was, would the good likely to be effected by the institution overbalance the expense of supporting it? To consider this by a reference to facts, what was the good done by it in the last thirteen months? He held in his hand the first annual medical report of the cases treated in the ophthalmic institution, York hospital, from which it appeared, that a number of soldiers who had been pronounced incurable by army medical officers, and therefore allowed pensions, were completely cured and restored to perfect vision under the skilful care of sir W. Adams. Such were the results of the establishment in the last year! The total expense of the hospital, independently of the charge of building and other items, which ought not properly to be included, was not more than 331*l.* during the same space of time; so that making a calculation on the number cured last year, it appeared, the average expense of restoring a blind man to sight was only 4*l.* 10*s.* [Hear]. The generosity of the country would not take away the pensions already granted; but if in future only two soldiers were to be restored to sight annually, this institution (putting all considerations of national gratitude and humanity to the defenders of her rights and liberties out of the question for the present) would actually effect a saving to the nation. The pension allowed a blind man was 20*l.* a year; taking the average value of this at twelve years purchase, as many of the pensioners were young men, two such pensions cost the country 480*l.*; so that if only two patients were saved from blindness every year at the hospital, that would effect an annual retrenchment to the public of above 100*l.* [Hear]. If the controversial papers between the two parties were laid on the table, probably the House would be less able to form a correct estimate of the merits of the institution than before. Unquestionably, so much heat, violence, and injustice, arising out of professional jealousy, had mixed itself with the subject under consideration, that if the House were to examine what had been written, they would be both grieved and surprised; and he did not wish to inflict on himself the disgusting task of disentangling the truth from such a weight of partiality and prejudice. Sir W. Adams had, in the outset, made a very fair proposition to the army surgeons: he had said "give me some of those patients whom you have given up as incurable, and let me try what I can do with them." This was rejected, and he was obliged to apply to the commander in chief. After encountering an infinity of trouble and opposition, his proposal was at length acceded to—several men were taken from the depot at Bognor, where they had been undergoing treatment by the medical officers without deriving any sort of benefit, and transferred to the care of sir W. Adams. Of these some had no eyes to admit of cure; but of the rest, a large proportion were either perfectly cured, or materially benefited, and were now walking about, and attending to their business [Hear]. He had himself performed the very useless duty (a laugh) of visiting the ophthalmic institution at York hospital; he had gone there with his noble friend behind (lord Ebrington) very recently, and he could assure the House, that never had he derived a more pure gratification from any spectacle. He had found fifty or sixty patients there; on asking them what their state was when they came to the hospital, he was informed by some of them that they could scarcely distinguish light from darkness, and by most of them that they had been led up by a guide. And to his inquiries respecting their then state of vision, they replied, that they could walk without a guide, or work at their trades, or read [Hear]. "How long," continued Mr. Barham, "had you been afflicted with disorders in the eyes?" The answer was "eight, nine, nay, eighteen years." "Had you undergone medical treatment before?" "Oh yes" [Hear]. He therefore besought gentlemen who doubted of the utility of the hospital, to go and judge of its effects with their own eyes. Something had been said by one hon. and learned gentleman about secresy in sir W. Adams's practice. He did not know what could have given rise to such an opinion, because, in point of fact, from first to last, that gentleman had offered to disclose all his discoveries and improvements to the profession at large; discoveries and improvements, he must insist, he had made; for if the army surgeons had possessed as much skill, why, he asked, had they not cured those pensioners who were now recovering under the care of sir W. Adams? He should not trouble the House any farther except to observe, that he thought the noble lord (Palmerston) deserved the greatest credit for resisting the cabal raised by a body of men against a meritorious individual.

Lord *Ebrington* said, he wished to take that opportunity of declaring what came within his own knowledge and observation concerning the institution under the superintendence of sir W. Adams. He should not do justice to his own feelings did he not express in his place his decided conviction of its merits. The gentleman at the head of it he had not known, indeed he had never seen, till within the last few days. He thought the noble lord (Palmerston) also entitled to praise for the laudable perseverance he had displayed, in supporting so humane and well-conducted an establishment, in opposition to the prejudices that were endeavoured to be excited against it. In consequence of a report of the cases treated in the institution having been put into his hands, he had resolved on convincing himself of its effects by ocular evidence; and never had any sight afforded him greater pleasure and satisfaction. He saw a variety of patients, some totally blind, many incapable of distinguishing light from darkness when they had been admitted, and having nearly all been led up—advancing in different degrees to a recovery—enabled by sir W. Adams's treatment to walk about alone, to perceive objects distinctly, or even to read very small print [Hear]. Under these circumstances, though he should be the last person there to resist putting the House in possession of useful information, or to screen any ministerial abuse; he could not vote for the production of the reports of the medical board (of whom he wished to speak with respect) because he did not think the House would gain much knowledge by examining the opinions of men, who, it was known, had opposed the commencement and progress of the ophthalmic institution throughout.

Lord *Castlereagh* thought the hon. and learned gentleman who brought forward this motion, sought to lead the House of Commons out of its peculiar province, which was the exertion of a due vigilance on the expenditure of public money into an interference with the executive in the exercise of one of its prerogatives, namely, the appointment of officers in a military department. He might as well propose at once, that the House should take the control of all military appointments. But he (lord C.) thought the good sense of the House would hardly allow them to adopt such a principle. But it was obvious, from the sentiments of gentlemen on the opposite side of the House, that this was a question not very generally thought fit for discussion. Two hon. and learned gentlemen were strenuous for the production of documents, and disposed to resist the establishment in question, while two other gentlemen, usually in the habit of voting with them, were of a different opinion, and highly approved the institution, and bore testimony to its utility. He had no doubt, therefore, that the House would see the propriety of supporting his noble friend.

Mr. *J. P. Grant* said, he had merely proposed investigation upon a subject on which he could obtain no authentic information by any other mode. The institution was mentioned amongst other incidental charges in the army estimates, stated altogether at a sum of 9,000*l.* He, therefore, felt it necessary to inquire what part of this charge was appropriated to the ophthalmic institution. He disclaimed any motive of partiality for or against sir W. Adams, or in favour of the gentleman at the head of the military medical board, Dr. M'Gregor, whom he now understood to be his countryman; but he thought the noble lord should have named the author of the letter he had produced, and sincerely hoped, whoever was the author, that he should no longer be attached to his Majesty's service, of which, whoever he was, he had proved himself wholly unworthy.

The motion was negatived without any call for a division.

CEYLON.] Sir *W. De Crespigny* said, that in rising to bring forward his motion on the war in Ceylon, he was aware the House did not wish to enter into a long discussion; but he hoped a feeling of humanity would procure him their attention for a few moments. He wished the question had been taken up by the other side of the House; but as it had not, he felt it his duty to institute an inquiry into it. The affairs of Ceylon were not, he feared, well known in this country, but it was well known that the late king of Candy was of a most cruel and sanguinary disposition, and that his severity was such as to cause his subjects to revolt against him. His first minister having deserted, his family was murdered by order of this tyrant. This induced the minister to apply to the British governor of Ceylon, and after some delay he was allowed the assistance of the British forces, who, assisted by the Candians, succeeded in dethroning the king. On this occasion a treaty was signed by the British authorities on the one hand, and the chief officers and ministers of Candy on the other, by which the latter were vested with the civil government of the country. This treaty, however, had been violated, and the conduct of the British authorities, in appointing a particular class of persons, detested by the Candians, to fill civil offices, disgusted them so much as to cause them to revolt against our government in that island, and the consequence had been a protracted, sanguinary, and expensive war. The British army, in their several marches, obliged the natives to carry their baggage, and to hold flambeaux before their palanquins and horses. The disgust excited by this conduct was such as to induce the governor to desist from it, but it was too late, the blow was struck, and it would be difficult to describe the scene of misery and wretchedness which followed. He wished to ask one question of the hon. member opposite, relative to the minister of whom he had already spoken, and who he understood had been beheaded. If this was true, he wished to know whether he had been previously tried by a court of justice or a court martial? It was the duty of parliament to see that the law was duly administered in all countries under our protection. He concluded by moving, for a "Copy of Proclamation by his Excellency General Robert Brownrigg in Council, given at Columbo, 11th January, 1815; also, Proclamation and Treaty in the Palace of Candy, March 2nd, 1815, between his Excellency General Robert Brownrigg on the one part, and the Adigars, Dessaves, and other principal Chiefs of the Candian Provinces, on behalf of the inhabitants."

Mr. *Goulburn* did not mean to oppose the motion, but the hon. baronet would find, on the production of the papers, that his information was not exactly correct on this subject. In answer to the question which had been put to him, he could assure the hon. baronet, that the adigar, or minister, about whom he inquired so solicitously, was, according to the last accounts from Ceylon, enjoying a perfectly sound state of health [a laugh]. The mistake arose, he supposed, from the similarity of this minister's name to that of another officer, who had revolted, and who having been taken in arms, was tried and sentenced to be executed.

Mr. *Forbes* was sorry to see the motion treated with so little attention. Ceylon had for a considerable time been a scene of warfare and destruction, and it was surely worth the attention of the House to inquire into the cause of this war. If the Candians were left to themselves, we should have some chance of retaining possession of the sea coast; but we could never expect to keep quiet possession of Candia. We might do so for a few weeks or for a few months, but when the sickly season set in, it would be found impossible. This war had cost England immense sums of money, and a great number of lives: so great was the mortality, that one regiment had lost 400 men. This surely was sufficient to call for the investigation of parliament.

The motion was agreed to.

## HOUSE OF COMMONS.

*Wednesday, May 12.*

PENRYN BRIBERY BILL.] On the motion for going into a committee on this bill,

Mr. *Barham* opposed the Speaker's leaving the chair, on the ground that the House was proceeding without any principle being settled. It was a contradiction in terms to say that a principle could not be defined. In the case of Grampound it was clear, but here no facts had been established; and if the House went into the committee, it would run the risk of exposing itself to a decision which it might at some future time have great reason to regret.

Sir *C. Hawkins*, member for Penryn, in a tone of voice quite inaudible in the gallery, continued for some time to read a speech, till he was called to order by

Mr. *Bankes*, who stated that the course which the hon. baronet was pursuing, was contrary to the orders of the House. The utmost extent to which the House carried their indulgence, was to allow members to refresh their memories occasionally by a recurrence to notes.

Mr. *Manning* urged, that no parliamentary ground had been laid for the bill: no resolution of the committee or special report was before the House; and the hon. mover had not condescended to give any reason for the measure he had introduced.

Sir *C. Burrell* said, that the House having allowed the Bill to proceed thus far, were in justice bound to hear evidence in support of it. If the witnesses did not prove corrupt practices, then the bill would fall to the ground; but if they substantiated these corrupt practices, there would be good ground for extending the franchise.

Mr. *Denison* said, the committee did

not proceed at all on any inquiry into the practices of 1807, but confined themselves to what took place at the last election. All the cases of bribery were proved against the sitting member. They could not proceed against the petitioner, as there was a link wanting in the chain of evidence; but this was only carried by the casting vote of the chairman. But since that time a grand jury had found bills for perjury against five of the witnesses.

Mr. *C. Hervey* said, the only question which was decided by the casting vote of the chairman was, whether counsel should be heard on a point which had already been decided by the committee. In justice to the committee he had to state, that what related to the bribery being brought home to the sitting member was carried unanimously; but the hon. gentleman was mistaken if he supposed the bribery was brought home to the petitioner.

Mr. *Denison* referred to certain handbills which were wanting, and which would have completed the chain.

Mr. *Holford* contended, that the hon. member had mistaken the point about the hand-bills; two cases only were attempted against the petitioner, and neither of them were made out.

The House having resolved itself into a committee, Mr. Toy was called in and examined by sir C. Burrell. He stated that he was in the chair at a meeting of the electors of Penryn, on the 25th May, 1818, for the purpose of procuring the return of Mr. Swann, which was held at the sign of the Thirteen Balls. He had drawn up a hand-bill from personal hostility to Mr. Swann, and the meeting was called in consequence of it. At the meeting he did all he could to prejudice the electors generally against Mr. Swann. He had not a copy of the hand-bill. Witness, on being asked if he could state the substance of it, said, that some of the expressions which he recollected were as follow:—"The prating hero will soon arrive, assisted by dissimulation and all his usual arts, to distribute amongst the electors his fish, his peppermint, and his twopenny," This was an allusion to Mr. Swann's practice of selling the two former articles, and of scattering shillings in public-houses for the purchase of the latter. In another part, the electors were assured, that if they returned Mr. Swann, they might rely on his afterwards treating them with the same arrogance with which he had once addressed them, when he told them to "go to h—ll and be d——d."—Do you also recollect this expression in the hand-bill? "If your choice be governed only by interest, you ought not to return that man," meaning Mr. Swann?—Yes, I do. Did it also contain the following? "You know he had neither the inclination nor the ability to gratify you for your favours, and upon your principles what stronger objection can exist against them than this?"—Yes, I recollect that expression.—Does your memory extend to these observations also? "Has he ever given any one of you a breakfast, or realized a single expectation that you were taught to entertain? We are disposed to look back with pleasure to those good old times when every man was provided with a breakfast, the only advantage to which we aspire in the exercise of our elective franchise. But be assured, that a man after your own heart will offer himself in due season."—The witness admitted that this passage did occur in the composition of the hand-bill.—Here Mr. V. Blake desired that the witness might withdraw, and objected, that this course of proceeding was not consistent with the course of proceeding in courts of law, and was analagous to the practice of putting leading questions. Mr. Serjeant Onslow, Mr. Wynn, and sir C. Burrell, thought the course of proceeding proper, as there was no certainty that by any other course a knowledge of the contents of the hand-bill could be attained. Mr. Courtenay and Mr. Holford thought other means of obtaining the information should be first tried. The objection was over ruled by the House, and the witness was again called in.—Sir C. Burrell then continued his examination. He asked whether these words were in the hand-bill—"Be assured that a man after your own heart will soon arrive, one of your own rich neighbours, who will liberally recompense his friends, whether he is successful or not."?—The witness had written this address, and two others, without consulting any other person. In one of these was the following observation:—"The time of victory is near, when your claims so long neglected shall be established, and when the ancient but almost obsolete gratification of 24lbs. for every plumper shall be restored."—Why were the figures 24 surmounted with the letters lbs. as though they applied to a quantity of butcher's meat, instead of being preceded by the letter *L.* as signifying pounds sterling?—In order that no advantage might be taken of them. The intention, I believe, was generally understood.—The witness was then examined at length, respecting the meeting of electors, at which he presided as chairman on the 27th of May, but no fact of material importance was elicited. On being questioned as to the source of the dissatisfaction with Mr. Swann, which he had described as prevailing amongst the electors, he stated it to arise from his not having paid the bills given at the preceding election; and that, although the respectable electors had not been engaged in any corrupt transactions with him, they did not approve of his not performing his engagements, and many of them withheld their support when he was last a candidate.—Sir C. Burrell put several questions with the view of proving, that the disapprobation expressed of Mr. Swann's parliamentary conduct in the resolutions which were printed and circulated in Penryn, was but a mere blind; the real ground of disapprobation being, that Mr. Swann had not given a public breakfast —that was, 24*l.* to each elector. The first meeting at which these resolutions had been passed was on the 25th of May. At a second meeting on the 1st of June, Mr. Anderdon was present. The general object of that meeting was, to praise Anderdon, and to blame Swann.—Mr. F. Douglas asked several questions respecting conversations with Anderdon.—Mr. Williams examined him as to Mr. Swann's having employed many in sending up stones from a quarry at Penryn to London, and pleaded such employment as an equivalent for the usual breakfast. It was a generally-received opinion at Penryn, that employment at the granite quarries was equivalent to a breakfast, or 24*l*, The witness seemed to deny that he had put the question at one of the public meetings, whether Mr. Swann would pay 24*l*. There had been a meeting to invite sir Masseh Lopes, but the witness had not been present at it. Mr. Swann had not given a breakfast at the two last elections. That might have been the cause of inviting sir Masseh Lopes.—The witness being asked whether, since his arrival in London, he had consulted with various persons on the line of evidence he ought to pursue to prevent the borough of Penryn from being thrown open, answered, that he had conversed with several people on the subject, but had not agreed to alter his evidence in consequence. Being pressed with this question in different shapes, he answered equally indefinitely. He had heard it mentioned in society that the evidence of particular witnesses would go to prevent the borough from being thrown open, and he mentioned the names of some of them. He allowed that two-thirds of the electors had received bribes. The lower orders expected a breakfast, which meant a bribe, for at that breakfast the bribes were distributed. They had endeavoured to influence the meeting at which he presided during the election against Mr. Swann.—Joseph Sewell was called in and examined, first by sir C. Burrell. He denied that he had conversed about the evidence he was to give. He gave his interest against Mr. Swann at the last election, because Mr. Swann had not paid his bills on former occasions. He had never heard the electors complain of Mr. Swann's not giving breakfasts, but of not paying his bills. He knew what was generally understood by an election breakfast at Penryn; it meant 24*l*.—The examination of the witness was continued by several other members. Witness stated, that his connexion with Mr. Anderdon arose from his having been employed formerly by Mr. Anderdon's father, to purchase the borough in Cornwall for him. He did not think that the wealth of a candidate would have any effect in the borough of Penryn. When he brought down Mr. Anderdon, he received a letter from the electors, stating the cause of their dissatisfaction with Mr. Swann. He had lost that letter. He did not know that any voter at Penryn had been bribed, or had taken a breakfast, either in 1806, 1807, or 1812. Since his arrival in London, he has had no conversation with Mr. Anderdon about the effect of his evidence as to the opening of the borough. He had asked Mr. Wingfield, and also the solicitor for Mr. Anderdon, if he was bound to give evidence that would implicate himself; but he had not asked those persons how far he was implicated by being an agent. He had written many letters to Mr. Swann on the subject of the election; he might have recommended the giving of breakfasts, but he had no recollection of having so advised him. Anderdon had said, that even if the election were lost, he was not to bribe, and he could say on his conscience that he had not bribed for Mr. Anderdon. He had no recollection of having said, that he would support the devil himself against Mr. Swann; but he could not answer for what a man might say in a moment of passion. He was offended at Mr. Swann, because that gentleman had prosecuted him for 200*l*., and had commenced proceedings against his daughter.

William Rawlins was next called in and examined. His evidence tended to prove, that previous to the year 1807 there had been an organized system of bribery and corruption in the borough, but that during the last ten years it had most materially diminished. He had never known the bribery oath put to the electors except in 1802. The demand of it at that time caused no very great sensation. Being asked to re-consider his answer, he replied, that he supposed himself to know what the examiner alluded to; it was the circumstance that the commissioner, appointed to administer the bribery oath to the electors, administered the oath of the returning officer to them, instead of the proper oath against bribery and corruption.

The chairman then reported progress, and asked leave to sit again.

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## HOUSE OF COMMONS.

### *Thursday, May* 13.

RIBBON AND SILK WEAVERS REGULATION BILL.] Mr. *Peter Moore* presented two petitions, one from the mayor and corporation of Coventry, stating the distresses under which the ribbon weavers of that place were now suffering, and praying that their case might be taken into consideration by the House; and another from the employers of the ribbon-weavers, corroborating the statements and concurring in the prayer of the former petition. These distresses originated in the reduced wages which were now paid to the ribbon weavers; and the petitioners in order to give the House some idea of their extent and magnitude, declared that they were obliged to pay in poor rates, by which the weavers were almost entirely supported, 45*s*. per acre on their landed property and 19*s*. in the pound upon the rent of every House of which they were occupiers. They also stated, that unless some relief was granted them, they must all perish in one common ruin. The mayor and corporation of Coventry, in their petition submit to the House, that during these scenes of unparalleled misery and distress, no inclination to disorder or tumult had exhibited itself among this suffering body. He was happy to be able to add his own testimony to theirs, and to say, that if ever patience and tranquillity under distress deserved the careful attention of parliament, the present was a case to which it ought to be extended. It was on this account that he had now come forward to the House with a bill, whose clauses were principally founded on the report of the committee appointed to examine into this subject during the last session. In 1816, the distress among the weavers had been very great, and the master manufacturers had, out of compassion to those who were in their employment, agreed not to pay them for their labour by the week, but by the value of the work which they performed. This agreement, however, was not of any long duration; first one and then another of the manufacturers disregarded it, till at last it was entirely rescinded. The ribbon-weavers wanted to make these parties stand to their agreement, and the bill which he should ask leave to bring in was intended to effect this purpose. A rumour had gone abroad that he wanted to fix a maximum and a minimum of wages: he wanted no such thing, he merely wanted a standard regulation to be appointed, by which a due remuneration might be paid to the artisan for his labour. If that had been previously done, the House would not have had to listen to the melancholy details which he felt it his duty to make, in order to show the necessity of some legislative enactments on this subject. In the town which he had the honour to represent, there were five classes of manufacturers, each working 96 hours in the week, or 16 hours in the day. The first of these classes gain, in return for their labour, 10*s*. a week, or twopence-halfpenny an hour, which was but a very trifling share of what they were formerly in the habit of acquiring. The second class gained 5*s*. 6*d*. a week. The third 2*s*. 9*d*. The two remaining classes received 2*s*. and 1*s*. 6*d*. per week. The consequence of this reduction of wages was, that the weavers had been obliged to resort to the funds of their friendly societies; and he was sorry to say, that not merely had these funds been exhausted, but also the funds of their saving banks, which were now becoming a mere mockery. The hon. member then went into some farther details of the distress of his constituents, and argued that if a similar system had been adopted at Coventry, as had been adopted at Spitalfields and Dublin, there would have been as little distress in the one place as there now was in the others. A fraction of a farthing added by a legislative measure on each yard of manufacture to the produce of the weaver, would remedy the whole distress. All the manufactures expressed their hearty concurrence in the principle of his bill, and he therefore hoped that the House would not refuse him leave to bring it in. He then moved, " That leave be given to bring in a bill for the better Regulation of Persons employed in the Silk Manufacture in Great Britain."

Mr. *F. Robinson* could assure the hon. gentleman, that no man sympathised more deeply than himself with the individuals whom the hon. gentleman represented, and whose condition that hon. gentleman had done his duty in laying before the House. Entertaining that feeling, as he did, it was with great regret he found himself under the absolute necessity of declaring, that in his opinion, the measure proposed by the hon. gentleman was not calculated to remove the evil. If he understood the hon. gentleman his principal object was to extend to the silk trade in general the existing legislative regulations, respecting the wages of persons employed in that trade in London and Dublin. Objecting to the principle of such a proposition, he should be acting unjustly, were he not to take the earliest opportunity of expressing his sense of its impropriety. He was sure the hon. gentleman would not be disposed to deny, that on all general principles by which such matters ought to be regulated in a commercial country like Great Britain, it was inexpedient to allow the wages of labourers, of whatever denomination, to be settled by any other means than by the natural demand for their labour. Indeed, he was almost ashamed to use so trite and acknowledged a principle —a principle maintained by every able writer on the subject of political economy; and which received a farther confirmation by the recorded opinion of a committee of that House, appointed in 1809, to investigate grievances in the cotton trade, similar to those now represented to exist in that of silk. The committee to which he alluded came to an early and unanimous resolution " That the committee had taken into their serious consideration the proposition for passing an act, establishing a reform in the wages of persons employed in the cotton manufacture, and that the regulations to a similar effect in the silk trade had been laid before them: but that, after the most mature deliberation, they had resolved unanimously that any such legislative provision would aggravate, rather than alleviate the evil. That the committee, not conceiving that by any mode of legislation a beneficial effect could be produced, felt it their duty to come to as early a decision and declaration of their opinion as possible, in order that false hopes might not be entertained by those whose sufferings, arising from natural and political causes, could be remedied only by the change which time would occasion." The committee from which this report proceeded was composed principally of those members of the House who were qualified to form the most accurate judgment on the subject, viz. Mr. Blackburn, Mr. D. Giddy, Mr. Eden, Mr. Horner, the hon. mover of the present bill, Mr. Rose, Mr. Whitbread, sir R. Peel, Mr. Wilberforce, Mr. H. Thornton, Mr. Davenport, &c.; so that the report was entitled to the highest consideration. If, then, the general principle, that it was inexpedient to interfere in such cases, was firmly established, it remained for the hon. gentleman to show that there were some peculiar circumstances in the ribbon and silk trade which entitled it to be treated as an exception. For his own part, lamenting as he did the condition of the individuals in question, he could see nothing in their case to distinguish it from that of persons in other trades. There was one argument, indeed, urged by the hon. member in favour of the proposed measure which was very portentous in its nature, and which of itself would induce him decidedly to object to it. The hon. member had expressed his hope that his example would be followed by all members whose constituents were suffering pressure; thus stimulating the representatives of all the manufacturing districts to make similar propositions for the relief of similar distresses. Should that take place, and should the House accede to such propositions, there would be an end to the system of free labour in this country. But he was persuaded that the House would never acquiesce in any measure that set at defiance all general principles founded on the soundest views of political economy; and it was on that account, and not from any disposition to dispute the facts alleged by the hon. gentleman, that he felt bound to oppose the motion.

Mr. *Davenport* while he lamented the state of great distress in which the ribbon and silk weavers were placed, contended, that of all the measures which it was possible to devise on the subject, none could be so generally prejudicial as that recommended by the hon. gentleman.

Mr. *Ellice*, in answer to the remark of the right hon. president of the board of trade, that the great object of the bill moved for by his hon. colleague, was to extend the interference of the legislature with respect to the wages of labour in the silk trade of London and Dublin to the silk trade generally, and that he saw nothing in the circumstances of the silk trade different from those of any other trade, which rendered the adoption of such a measure expedient, maintained that the silk trade was peculiarly circumstanced. In the first place, there were excessive duties on the raw material. The right hon. gentleman had talked of general principles; but was it a good general principle to lay a heavy duty on the raw material of any manufacture? It was very well to argue in favour of general principles; but it was sometimes necessary to look at the state of particular cases. If parliament had always acted on general principles, the present application would have been unnecessary. It was because they had departed in some instances from general principles—it was because they had adopted, in some instances, temporary expedients, that other expedients became indispensable to correct the evils of the former. He maintained that his hon. colleague and himself had a right to call on the House to adopt some expedient to prevent their constituents from starving; as the House had adopted expedients to relieve the distresses of the constituents of the representatives of the landed interest. One of the right hon. gentleman's arguments, though urged against the measure, was, in his opinion, decidedly in its favour. He had said, that when in 1809 the manufacturers were in the same state, a committee of that House had declared they must look for relief from the change which time would bring. But that relief had never arrived. And so great was their present distress, that relief, in some way or other, was absolutely necessary. If the mode proposed, was an improper one, he entreated the House or government to point out some other course by which the enormous evils that existed might be alleviated, if not removed. The present was no interference of one party with another. Both the master manufacturers and those employed by them, were unanimous in their wish for legislative interference.—There was another point of view in which he wished to put the subject. It was calculated that above 30,000*l.* were levied in poor-rates in Coventry and the adjoining districts in Warwickshire, in order to feed those persons, and to supply the deficiency of their wages. Now, it was stated by the weavers, that all the increase of wages that they wanted, was the eighth of a penny on every yard of ribbon, which would produce a sum exceeding that at present raised by the poor-rates. He wished to know, therefore, with what justice a tax of above 30,000*l.* was laid on the landholders of Warwickshire, in the shape of poor-rates, in order to save the consumers of a luxury from paying what they ought to pay. It ought to be also considered, that in a bill at present pending in the House, called the poor-rates regulation bill, there was a clause preventing the magistrates from giving relief to able-bodied labourers from the poor-rates. Now, if a ribbon weaver, earning with all his exertions only five shillings a week, was to be denied assistance from the poor-rates, what was to become of him and his family? He did not advocate the proposed bill on general principles, but he advocated it as an expedient to relieve the distresses of people who, he believed in his conscience, could not go on without relief. An additional reason for allowing the bill to be brought in was, that there were some parts of it to which he was persuaded even the right hon. gentleman would not object. For instance, a system had many years ago been introduced of employing poor children in the ribbon and silk trade, as what were called half-pay apprentices; the meaning of which was, that half their earnings were withheld by their employers and the other half went to their parents. While the trade went on well, that was a good plan enough, but the moment any unfavourable change occurred, the unfortunate children were thrown on the parish. One of the provisions of the proposed bill went to remedy that evil. There were other provisions for regulating the silk trade similar to those by which the cloth weavers were at present regulated, and which he was sure would be found wholly unobjectionable. For all these reasons, he trusted the House would give his hon. colleague leave to bring in the bill.

Mr. *Wallace* said, that if there was one species of interposition more injudicious than another, it was that which had for its object to dictate to the master the rate of wages he was to pay his servant. No case of particular exception had been made out; and as to the case of Spitalfields, he thought that it would have been much better, if, instead of an enactment, recourse had been had to the vigour of the law, and the authority of the magistrates. He approved of that part of the bill which related to half-pay apprentices; but he could not on that account consent to adopt the rest, which was so highly objectionable.

Mr. *Dugdale* said, that having acted as a magistrate in the neighbourhood in question, he must declare that the distress was now arrived at such a pitch that he really believed the most alarming consequences would ensue, if some steps were not immediately taken. Though he was reluctant to interfere between the master and workmen, he considered the present a peculiar case. All the petitioners sought for was, to be placed on the same footing as workmen in the metropolis.

Mr. *Fowell Buxton* said, he felt some difficulty in delivering his sentiments on this subject; for to all the maxims of trade laid down by the two right hon. gentlemen opposite, no answer could be given. All legislative attempts to compel men to be prosperous under pains and penalties, ended in folly and oppression. But the maxims of the right hon. gentlemen did not apply to Coventry; for Coventry was now employed in a most unnatural and artificial trade. By whom were the wages of the workmen of Coventry paid? By the parishes. A skilful workman, after working sixteen hours a day, and aided by machinery which was his own property, could only earn 10*s.* a week; and another workman, without any capital, but with equal skill, after working the same number of hours, could only earn 5*s.* 6*d.* a week. There was nothing but the poor rates which caused this. The evil would long ago have remedied itself had it not been for the poor rates; for either the workmen would have abandoned the trade, and applied themselves to some other occupation, or the masters must have raised their wages. The question here therefore was, not whether they should abandon an unrestricted trade, and have recourse to a system of restriction, but in what manner they could diminish the distress, arising out of a trade diverted from its natural channels by themselves? The question was, whether they were to mitigate those evils which their own previous interference had occasioned? There could be no doubt of the distress of Coventry at the present moment. But it had been said that it was the nature of trade to fluctuate, and that if they were to interfere whenever there was a temporary distress in any branch of trade, they might devote their whole attention to this subject alone. It appeared, however, from the evidence, that this was not an ordinary distress. This was given in evidence by all parties, masters and servants. One circumstance, indeed, showed this in the highest degree. In this time of comparative prosperity, the poor rates of Coventry were nineteen shillings in the pound, and one-third of the population were receiving money from the parish. This was alone sufficient to justify the application of a remedy to the evil, if any could be discovered. Many causes had concurred to produce this state of things, but the great cause was that system which had been so fatal and injurious to the landed interest of this country, the system of paying wages partly out of the pocket of the master, and partly out of the poor-rates—that system, which, beginning in agricultural districts, had extended itself at last to large manufacturing districts, and had long been in operation in Coventry. A merchant in London, who had no connection whatever with Coventry, sent down a large order for the manufacture of goods at the rate of 5*s.* 6*d.* a week to the workmen; and as long as the remainder of the wages of the workmen continued to be paid by the parish, this would continue. Another source of the evil was half-pay apprenticeships; this system was indefensible in every point of view. All persons trained to the weaving trade in Coventry, became necessarily and certainly paupers. This system also by congregating young persons by day and dispersing them by night, gave rise to a system of debauchery and profligacy, which loudly called for the interference of the House. The evidence showed that the distress and the licentiousness were equally without example. This state of things called for the extension of an act already in existence, which in Spitalfields, the district under its operation, had produced the greatest benefit. It appeared from the testimony of many masters living on the spot, that this act had produced the greatest benefit both to masters and to workmen. The principle of the act was, that if any dispute arose between masters and workmen, respecting the rate of wages, it should be settled by magistrates. This act made any agreement between the two bodies binding. The consequence was, that whereas in 1816, an agreement was entered into between the masters and workmen of Spitalfields and Coventry, that of Spitalfields was adhered to, and that of Coventry was not. An hon. friend of his had said, that bad consequences had resulted from the Spitalfields act. He could only say, that the people of Spitalfields were ignorant of such evil consequences. No part of the country had exhibited more loyalty and tranquillity than Spitalfields, which had before this act, been the scene of perpetual tumult and disorder. He said that an argument had been urged which he, in point of fact, must admit—and he would leave it to the wisdom of the House whether that argument was strong enough to decide the fate of the bill: it was, that the effect of the bill would be to enhance the price of manufactured goods. It certainly would; but to what extent? to the amount of one-fourth of a farthing per yard. That was the extent, and he would ask, whether it was not more reasonable that those who thought fit to wear silks should pay the fair wages of the labourer who manufactured them, than that the parish should pay him? The system of poor-rates was one which, in the better days of England, was little known: it was a system which every friend to the country would wish to remove: it was degrading and demoralizing, calculated to deprive the people of the national feelings of pride and independence, and to fix in their stead base and degrading sentiments, subversive of the freedom, and the virtue of man. He concluded by expressing his intention of supporting the motion of his hon. friend.

Mr. *Stuart-Wortley* resisted the introduction of the bill, because he thought it would set an example to the cloth-weaver, the linen-weaver, and indeed all classes of manufacturers, to come forward with unwarrantable demands. If the principle now contended for could be introduced—if magistrates on all occasions could settle the amount of wages—there would be no need of poor rates. It had been said, that one-fourth of a farthing in the yard would not be felt; but there were limits to every thing, and the question was not whether this was a great increase, but whether it was one which the article could bear. In his opinion it was not. Gentlemen seemed to forget the consumer, and that he would not buy the goods at all, if they could not be had at a certain price. With regard to the corn-bill, it was quite unfair to argue, that the object was to raise the price of grain: it was merely to protect the grower from importation and unfair competition.

Mr. *Philips* said, that so far from all the master-weavers agreeing that the Spitalfields act had been beneficial in its operation, the very first witness examined, Mr. Stephen Wilson, who stated himself largely concerned in the manufacture of Spitalfields goods, was of opinion it had been highly injurious to Spitalfields. This witness had stated several instances of the mischievous consequences of the interference between masters and workmen in Spitalfields. The necessary consequence of interference was, the rendering the magistrate the judge of the reward of the workman, who could know nothing at all of the work. It had been said, that the Spitalfields act had produced quiet. Why, it had produced the quiet of death—the manufacture had been driven from Spitalfields to Cheshire, and if the Spitalfields act were introduced into Cheshire, it would be driven out of Cheshire. Nothing could more decidedly injure these manufactures than to interfere between the masters and their labourers. Nor indeed could he see any reason why labour should not be just as fair a commodity of sale and purchase, as any thing else sold or bought in this country. Why should they introduce a different principle in regard to the wages or price of labour than they adopted in regard to any other matter of sale? His hon. friend proposed to raise that price. And if he did, what would be the consequence? Why, that they would destroy the manufactory altogether. The arguments of his hon. friend seemed to be directed rather against the corn laws generally, than against any thing else. The house well knew that he (Mr. P.) was no friend to the corn bill. All attempts to alter the poor laws had only tended to aggravate the evils complained of. Any real relief to be now extended could only be attained by breaking up a system which had done so much to undermine that native spirit of independence, which was formerly the most distinguishing characteristic of the British nation.

Mr. *E. Littleton* stated, that a very large number of his constituents were deeply interested in this question. He had himself carefully read over the evidence given before the committee appointed to examine the Coventry petitions last year; but the evil appeared to him, not to arise from the causes to which it was traced by his hon. friend, but from the half-pay apprentice system. He hoped the house would not be induced to apply to evils professedly temporary, a remedy which must be permanent.

Mr. *Curwen* suggested to his hon. friend the propriety of withdrawing his motion. In its present state, the House was unable to extend relief to sufferings which he was sure it compassionated. If, therefore, his hon. friend would amend his bill, on his again bringing it in, parliament would feel disposed to further and assist his views. By doing so, he would convince his constituents, that there was a decided feeling in the house in their favour, although, from the present state of the bill, it could not grant that relief which it was called upon to do.

Mr. *Peter Moore*, in reply, observed, that Mr. Stephen Wilson, the witness alluded to by an hon. gentleman, was an exporter and a capitalist, who, of consequence, was only interested in obtaining goods at a cheap rate for exportation, and had no concern with the manner in which the workman was paid. But when goods were exported at a cheap rate by means of paying workmen out of the poor-rates, we were only making the people of the continent a present of all that was taken from the poor-rates. He had done what he considered his duty, in endeavouring, as far as possible, to remedy the evils of the system which prevailed in Coventry. Leaving it to the responsible ministers of the crown, to take some measures to save that city from starvation, he should, as such was the sense of the House, withdraw his motion for the present.

The motion was then withdrawn.

Sinking Fund.] Mr. *Grenfell*, in rising to call the attention of the House to the motion he was about to submit, said, he did not regret that from various causes it had been postponed from day to day; because the delay which had taken place had permitted him to acquire further information on the subject, and to make such alteration in the form of his motion as he originally intended it should stand, as had removed the objections of some of his hon. friends, who were at first not entirely satisfied with it. The subject of that motion was one upon which he had addressed the House at some length in 1814—five years back. The object he had now in view was to convince that House of the expediency, and to urge to the right hon. the chancellor of the exchequer, and to those at the head of the financial department of this country, not merely the expediency, but, looking to the state she was now in, the absolute necessity of applying that state fund which was generally termed the sinking fund, in diminution of the loan about to be raised for the service of the current year; which application, he would observe, was provided for in the act which was read from their table on the preceding day, by a particular clause, called Mr. Fox's clause; it having been suggested to Mr. Pitt in the year 1786, by that great and ever-to-be-lamented statesman. Before, however, he proceeded to state the general grounds of his motion, and feeling anxious to guard against the possibility of misunderstanding, as to any opinions he might be supposed to entertain in relation to that measure of finance called the Sinking fund, of which, unfortunately, little more than the name now remained, he would beg leave to state what were the principles of its formation. The principles upon which it was founded by Mr. Pitt, in 1786, were soon afterwards affected by a material change in the state of the country—a transition from peace to war. They were, indeed, principles of which no gentleman who now heard him, was a more warm admirer than himself; he having always considered the sinking fund, as established by Mr. Pitt between 1786 and 1792, the most splendid feature in that statesman's financial character. By the act of 1786, the existing excess of our income beyond our expenditure, to the amount of 1,000,000*l*., was applied and secured (so far as a transaction of this nature could be said or considered to be secured) to the gradual extinction, on the principle of compound interest, of a debt of 238,000,000*l*. But in 1792, it became necessary to alter, in some degree, the provisions of the act of 1786; inasmuch as the expenses incurred by one or two years of war were sufficient to swallow up all the savings accumulated in the six years before. Accordingly, then, the act of 1792 provided, that every new or future loan should be accompanied by such an increase of the revenue arising from taxation (which in a country like this was the only legitimate source of that increase) as should be equivalent, not only to pay the interest of such loan, but to provide also a fund of one per cent, or in short a sinking fund, which should in time extinguish the original debt itself. It was then calculated that the period of effecting such extinction could in no instance exceed the term of 45 years. The act of 1786 implied an existing excess of income; that of 1792, provided for the extinction of every new debt incurred on every new loan, by making the loan carry with it the means of its own annihilation. In all these instances, the excess of income beyond expenditure was made the vital principle of the extinction of debt. And it would be found, that such excess of income was the only principle, after all the reasoning and research which had been exhausted upon the subject—upon which the reduction of debt, either of a public or private nature, ever was, ever could, or ever would be effected. These principles, then, adopted by Mr. Pitt on the two acts of 1786 and 1792, in creating the sinking fund, were pursued and acted upon from 1786 to 1817, a period of 27 years. Such *was* the sinking fund. What *is* it now? In the year 1814 came the plan of the right hon. gentleman opposite—a plan immediately adopted by parliament, and one to which he (Mr. Grenfell) gave his most zealous and unqualified support; and the opinion he then expressed of its merits was one which nothing since had, in the slightest degree, shaken or altered. In the state of exhaustion in which the country then found herself, after twenty years of war and difficulties, the distressing nature of which was only to be rivalled by the firmness, endurance, and unshrinking fortitude with which they were borne, he did not then think, nor was he now of opinion, that in such a state of things, it would have been wise or expedient to add to the weight which the nation was already sinking under, by additional taxation. He thought it better to give the country a little breathing time, before her burthens were increased. Whether this view of the subject was a right or wrong one, he would not now inquire. One thing was very clear; that, united to former embarrassments, there had been of late years great profusion in our public expenditure. The effects of those two causes combined, had been almost to sap the principles upon which Mr. Pitt had legislated, and to leave no sinking fund at all. In the last year, the excess of our expenditure beyond our income was somewhere about 13,500,000*l.*, taking and considering a sum of about 15,000,000*l.* as part of our expenditure under the head of the sinking fund. So that with a nominal fund, for that was the fact, of 15,000,000*l.* we had last year, in reality, a sinking fund of not more than 1,600,000*l.* Certainly, he was not at any time one of those who were inclined to take a gloomy view of the state of the country; but nothing was more dangerous, in contemplating a subject of this nature, than self-deception. It would undoubtedly give him great satisfaction if he could flatter himself that the revenue of the present year would equal that of the last. It was also to be remembered, that provision was to be made this year for the loan which the chancellor of the exchequer was contemplating. In taking that into view, was it not probable that the whole of the sinking fund would be required for the charges likely to accrue from it? And if so, there would not be one single shilling reserved for the reduction of the national debt. True it was, that 100,000,000*l.* stock stood in the names of the commissioners for the redemption of that debt, which the right hon. gentleman, who never failed to advert to the circumstance, called a treasure; and well he might, for it was such a treasure as no nation ever possessed before! [A laugh]. Though those commissioners were sent four times a week into the city to purchase stock, let it be remembered, they bought with borrowed money—the money borrowed from the loan-contractors. For their money they got stock; with their new stock they bought old stock. This was creating a new debt for no other purpose than to destroy an old one: selling new stock cheap, in order to buy old stock dear; buying at a very high rate of interest to pay off a debt contracted at a very low one. Yet this was what his majesty's ministers were doing. It was mere delusion; an attempt to impose their system on the country for a new sinking fund, when it was the very reverse of one. This was the course of operations prosecuted by means of a fund which was represented to the country as applicable to the extinction of 800,000,000*l.* of debt. The whole machinery, so wisely constructed in the year 1786, was now erect and in full play without any useful effect. He might indeed say, that it was worse than useless, and productive of no profit except to a class of individuals who contributed nothing to the service of the state. It was true, that loan-contractors, and speculators in the public funds, might be, and were in numerous instances, very respectable and conscientious men; but they were not persons to whose care the interests of the country should be intrusted. The question therefore now was, whether the House would sanction the continuance of a system of intricacy and delusion that could produce no beneficial consequences; or whether it would, by the vote of this night, put an end to it? He was prepared to contend, that it would have been highly advantageous if the sinking fund had been applied to, in aid of all the loans contracted since the year 1793, under the power given by Mr. Fox's clause in the act of 1786. According to a calculation which he had made, the saving which would have been thus effected, from the period he had mentioned up to the year 1813, did not amount to less than 20,000,000*l.* He held in his hand a paper showing the amount of saving to the public that might have been derived upon the loan of 1815, if the commissioners for the redemption of the national debt had been allowed to invest the sinking fund in the new stock created by that loan. The capital sum which might have been so saved was upwards of 2,000,000*l.*, and the annual interest 77,000*l.* An hon. friend of his had moved for some other returns, which were not yet presented, respecting the loans of 1813 and 1814; but from his recollection of the premium which they bore, he was satisfied that a similar profit to the extent of several millions would have accrued to the public, had the sinking fund been resorted to in those cases. The only ground on which his principle was opposed was, that the effect of the system acted upon since 1797 was to keep up the price of the funds. He did not deny that in time of war, and so long as we were a borrowing country, the high price of the funds was a great advantage, as we obtained loans on easier terms; but that advantage became very doubtful when we entered, as he hoped we one day should, on the work of redemption. The facility of redemption must be increased in proportion to the lowness of their price. But whatever might be said on this subject, he denied altogether the foundation of the argument, and contended, that the system had no such effect as that of raising the price. At the end of this year we should probably have a sinking fund of 15,000,000*l.*; which, invested in stock at 70*l.*, would amount to about 21,000,000*l.* It was his opinion, strengthened and confirmed by all he had heard or seen, that whether the sinking fund was thus invested or applied to the service of the year, the price of stock would remain the same. Its price did not depend on any of those mysterious causes to which it was often attributed, but permanently, like the prices in all markets, on the proportion on which the demand bore to the supply. He was aware, that many respectable persons differed from him in this opinion, and that some of them were not under any bias from self-interest. Others, however, who were considered as great authority on this question, were under that bias; or, if they were not, they were not composed of the same materials as other men. Now, loan-contractors were not in his judgment exactly that description of persons by whose advice in these matters a chancellor of the exchequer ought to be governed. In 1814, the right hon. gentleman had stated in his place, that, having conferred with a number of gentlemen contracting for the loan with regard to the propriety of acting on his (Mr. Grenfell's) suggestion, they all, with one exception only, signified their disapprobation of it, and recommended a loan of 24,000,000*l.* instead of 12,000,000*l.* The exception to which he alluded was that of his honourable friend (Mr. Ricardo), who, greatly to his credit, observed to the chancellor of the exchequer, that if he considered his own interest merely, he must agree with his brother contractors; but if he were to consult the advantage of the country, he should advise the application of the sinking fund, and a loan of 12,000,000*l.* only. Perhaps, at a time when large loans were regularly raised, such a proceeding might have been inexpedient; but now that they were comparatively small, and of less frequent occurrence, he could not believe that the right hon. gentleman was so infatuated as to adhere to the present useless and unprofitable system. Reserving, however, all further observations on this subject till he should have heard what were the right hon. gentleman's views, and the opinions of other hon. members who might take a part in the discussion, he should conclude by moving, "That this House will resolve itself into a committee of the whole House, to consider of the act of the 26th of the king, c. 31."

The *Chancellor of the Exchequer* observed, that so far from coinciding in the views taken by the hon. gentleman with respect to the most proper application of the sinking fund, he considered them highly objectionable, and the more so, from the manner in which they had been brought forward and embodied into the present motion. The effect of it would be to fetter the discretion of government in providing for the financial exigencies of the country, and impose upon them certain terms without reference to the circumstances of our situation. The first motion which the hon. member had had in contemplation at least comprised a distinct and definite object. The present, involving the same principles and arguments, was altogether uncertain and indefinite, and could be productive of no possible advantage. By the act of 1786, a power already existed of taking the course which the hon. gentleman had recommended; and the commissioners were authorized, if it should appear expedient, to apply the sinking fund in aid of the service of the year. It would not, however, in his opinion, be wise to make it compulsory on them to apply it in this manner. He knew that it was a question on which much diversity of sentiment existed; but as to the case of the loan in 1815, and the saving of 2,000,000*l.*, which it was alleged might have been effected, the hon. gentleman had overlooked the circumstances attending it, and the causes which had produced that state of things on which he formed his calculations. It was true, that a great profit had been made upon the loan alluded to, but it was contracted for previous to the battle of Waterloo, and the profit was derived from conquest, and the successful termination of hostilities. If these results could have been foreseen, this proceeding, or some other measure of equal benefit, might have been adopted. Had the battle of Waterloo been lost instead of won, the subscribers to that loan would probably have experienced a considerable loss. This alternative always existed, and the chances must be submitted to. He admitted that, in the year 1814, in conformity with established practice, he had referred to the parties contracting for the loan of that year, to learn whether they would accede to more favourable terms, if a part of the loan was supplied from the sinking fund. They gave an opinion adverse to the proposition; but if it had been otherwise, he did not know that it would have been well in the Treasury to have acted upon it. With regard to the supposed saving of 20,000,000*l.* upon all the loans contracted for during the war, if the system of applying to the sinking fund had been adopted, it must be recollected, that nearly 900,000,000*l.* had been borrowed in that period, and that the saving therefore did not exceed two per cent. Instead of a profit, however, a loss had been sometimes incurred, which would probably have balanced the amount of the saving. The contractors, too, would have objected, and offered less favourable terms. If they had been sincere in their declarations, the Treasury had, notwithstanding all the calculations of the hon. gentleman, taken the safest and most prudent course. One great advantage attending the present system was, that it produced a general steadiness of prices, which was extremely favourable to the operations of the money market; and the chancellor of the exchequer, as well as the loan contractors, participated in this advantage. Were it not for the regular purchases made by the commissioners, there would be few real buyers, and persons under the necessity of selling would be at the mercy of stock-jobbers. This at least was the view entertained by many, and was supported by reasoning too plausible, and he believed valid, to be hastily rejected. When the effect of agreeing to the present motion would be to adopt a system which might be attended with such dangerous consequences, the House was bound to act with the utmost caution. As the law now stood, a discretion was vested in the commissioners which might under some circumstances be usefully exercised, but which it must be inexpedient to fetter at any time. It would be most inexpedient to fetter it at a moment of so much expectation and uncertainty with respect to the financial operations of the year. Upon that subject he agreed with much of the hon. gentleman's reasoning; but it would not only be premature, but a breach of his duty, were he now to enter into the discussion of it.

Lord *Althorp* said, that the House would remember, that when, five years ago, a similar proposition to the present one was brought forward, the chancellor of the exchequer was not so much disinclined to it as he was at present. He allowed that it was difficult to argue, *à priori*, what the effects were of buying stock with one hand, while we were borrowing money with the other; but when it was said, that this system produced steadiness in the price of the funds, they all knew, that up to the beginning of the war in 1793, the prices of the funds were just as steady as they had been since. It might be objected, that at that time the transactions in the funds were not of their present magnitude. But this argument would tell another way: for individuals had undoubtedly a greater power to command a small market than a large one. The question was not, whether the sinking fund should be abolished, but whether it should be applied according to Mr. Fox's clause? And it could not be said, that the existence of the fund was involved, when it was only to be considered, whether it should be applied to the reduction of the debt of 1819, or of any other period.

Mr. *Wilson* said, he had felt somewhat startled at the hon. mover's proposition, conceiving that the system which he recommended would be productive of many fluctuations and false alarms in the money market. If the present plan should be departed from, no one would know what to look forward to in the following year. A dangerous precedent would have been established, and a future chancellor of the exchequer might be tempted to continue providing for the public service in the same way. In the present financial state of the country, we ought to look our difficulties in the face. The regular application of the sinking fund might be convenient, but it would endanger the revenue, and render the necessity of retrenchment less obvious. If such a proceeding, however, were modified, and limited to a particular exigency, he should not oppose it. There was one difficulty under which we laboured, as he believed that all were agreed in the propriety of the recommendation contained in the report of the Bank committee: he alluded to the necessity of putting the Bank into possession of its own means, with a view of enabling it to resume cash-payments. It appeared to him, that 10,000,000*l.* would be too large a sum to pay to the Bank out of any loan, and that 5,000,000*l.* might therefore, on this occasion, be advantageously taken from the sinking fund.

Mr. *Ricardo* said, that he understood the hon. mover to have argued, not that the commissioners, if subscribers for the loans, would have procured for the public the profit which arose from the events of war or peace; but that they would have retained for the public that regular premium which the contractors obtained independently of the events of peace or war—which they were entitled to for undertaking the risk of such extensive undertakings, but which of course, under the present plan, was lost to the public. In that opinion he heartily concurred, as he could not conceive the advantage which could arise from giving the commissioners sums to lay out in the purchase of stock, while sellers were sent by the government to supply them with the stock which they were to buy. The contractors for the loan brought their stock to market just in the same degrees as the commissioners purchased it: they did not dispose of it in the mass, but brought it weekly and daily to market to provide for their instalments. Any gentleman who supposed that if process did not go on, it would be in the power of the jobbers to make hard terms with the sellers of stock, must have been perfectly ignorant of the stock market [Hear! hear!], for competition was no where carried to such an extent, and no where operated with more benefit to the public. His hon. friend had alluded to the opinion which he (Mr. Ricardo) had given before the chancellor of the exchequer in 1814. He had certainly then given the opinion which he had long entertained. He should have shrunk into the earth before those who had long known his sentiments if he had given any other; but he knew that those gentlemen who gave a contrary opinion, had given it just as conscientiously; for great and sincere differences of judgment on this subject existed in the city. To him it certainly appeared, that if the process of the sinking fund had an effect on the stock market, a similar process must produce an effect on all other markets in the country, and that, for instance, it must be contended that the chancellor of the exchequer could produce an effect on the corn-market, by sending a commissioner to buy a quarter of wheat, while he sent a contractor to sell the same quantity.

Mr. *Huskisson* said, he did not mean to occupy the attention of the House more than a few minutes in giving his opinion on this question. The hon. member called upon them to go into a committee on the sinking fund act, but he had not stated what course of proceeding they were to adopt; he had not even given an opinion on that point. By the act, as it now stood, the commissioners were empowered to subscribe to any loan for the public service, if they thought proper. There certainly existed a great difference of opinion as to the propriety of the commissioners so subscribing to any loan; many thought that it would be right, and others that it would be wrong of them to do so. But surely the House was not prepared to go into a committee to make it imperative on the commissioners to dispose of the sinking fund in this manner. And if so, to what purpose was a committee proposed? Much had been said of the loss sustained by the country, from not having so applied the sinking fund, but it was impossible to come to any decision on such a complicated question as this was, by arguing on abstract grounds; any such arguments must always lead to fallacious conclusions. He hoped the House would perceive the necessity of leaving the commissioners of the sinking fund free and unfettered, to apply it as may conduce most to the public interest. On these grounds, and on the ground that nothing definitive had been proposed by the hon. member who made the motion, and that acceding to it would fetter the chancellor of the exchequer in his measure of finance for the year, he felt it his duty to oppose it.

Mr. *J. P. Grant* said, that his hon. friend had added one to the many obligations he had already conferred on the country, by bringing forward this question. It was objected that the motion had no definitive object, and at the same time it was said, that it would be improper to decide upon it at present, as it would fetter the chancellor of the exchequer in his financial plans for the year. He thought the House had heard enough to show that this subject was one which called for their most mature consideration. It puzzled him exceedingly, to understand how any benefit could be derived from borrowing money, when the borrower had a sum in his pocket equal to what he borrowed. It only served to explain, that there was some mystical operation performed by buying and selling in the funds, which by a second operation of the same kind, enabled the borrower to get money on better terms than if he had not previously sold to an equal amount. Every market must be in some measure kept up by buying and selling, and he thought the sinking fund tended to keep up the prices of the funds, as any person having stock to sell, was sure of a purchaser in the broker of the commissioners, when he could find no other. But where could be the benefit arising from this, if an equal number of buyers and sellers be sent into the market at the same time? He could conceive a benefit arising from it, if the sellers were to make large sales at stated periods, while the commissioners went on buying regularly, but in small quantities; but this was not the case. He was anxious to have this subject fully investigated, as he was strongly impressed with the idea that the country suffered severely from the present system of finance. It could not be imagined that the contractors would lend money without a profit. If an individual were to go on annually borrowing 15,000*l.* on the one hand, for the purpose of paying annually a similar sum on the other, could it be supposed that by so doing he would not add to his debt, or that such a system would not finally end in his ruin? But this was precisely the nature of our present financial system; the debt of the country was annually augmented by the amount of the profits made by the different loans. The right hon. the chancellor of the exchequer had objected that the commissioners, by subscribing to a loan, would be liable to the risk of loss attendant on such speculations. But this was foreseen when the clause, empowering them to subscribe, was made in the sinking fund act, and it was left to them, as to all other speculators, so to contract as best to avoid a loss. He could not conceive the advantage of taking from the people a part of their surplus earnings to be applied in this way, without any benefit to the country, which, if left to them, would be augmented in the same proportion as their other capital. He could not perceive any objection to his hon. friend's motion; on the contrary, he thought it would have a beneficial effect.

Mr. *Callaghan* said, that whatever might be the opinion of gentlemen on the proposition now before the House, all who heard the discussion this night must, he thought, be convinced of this—that in the fourth year of peace, with a debt of 800,000,000*l.* we ought to have a real and effective sinking fund, not a nominal one. The case of a country was the same as that of an individual: no man would say he had established a fund for liquidating his debts, if he could not show an excess of ordinary income over his ordinary expenditure. To establish a sinking fund of this sort, we must either reduce the expenditure, or raise the income. Out of an outgoing of 51,000,000*l.* which the estimates of the year amounted to, (39,000,000*l.* whereof were fixed and not reducible), he doubted the practicability of effecting any material diminution of expense; but when he considered the resources of the country, he thought it perfectly possible to raise the income; and if he were asked how he would remove the present distress, he would answer, "Raise your income, and establish an effective sinking fund." Our income was once at 70 or 80 millions, and he thought that by prudently taxing commodities which would admit of it, it might, without adding to the national pressure, be brought nearer that sum than it was at present. He could not assent to the motion, as the sinking fund was the foundation of public credit.

Mr. *Ellice* thought there would be a difficulty in going into a committee, until the chancellor of the exchequer made known his plan of finance. This difficulty was increased by the manner in which the motion had been brought forward. If the question was for appropriating the sinking fund of the year to any loan which might be necessary for the public service, he would agree to it, as he did not think the chancellor of the exchequer had answered the expectations of the country, who thought that after four years of peace they would be relieved from the great pressure which they had borne during the war. But if the hon. member opposite meant, by increasing the income of the country, that any new tax was to be introduced, he would oppose such a measure to the utmost of his power.

Mr. *Grenfell* rose to reply. He had heard a good deal said of the effect which the purchases by the commissioners of the sinking fund had in keeping the price of stock from fluctuating. Now, he held in his hand an account of the different prices of the three per cents, from which it appeared, that in 1816, they were at 61; since that period they had been at 83, and to-day the price was 72. So much for the steadiness of the funds! The next objection was, that this was an improper time to bring forward his motion. But when could he do it; if not at the eve of a loan? If he waited for ten days, or a fortnight to come, it would be of no use to bring the question forward; the loan would be contracted for; the mischief would be done. It had been said by an hon. member, that the appropriating the sinking fund to the loan, might be used as a precedent by a future chancellor of the exchequer. He did not mean to do away with the sinking fund: he wished to keep its machinery as it now was; but his object was, to save to the country the profit, which the contractors for the loan would have, as they have had for the last 27 years, by applying the sinking fund of the year, as far as it went, to lessen any loan to be made this year. It was objected to him, that his motion was not of a definite nature. His object was now the same as it was five years since, that some measure should be adopted, either by resolution or otherwise, to make it imperative on the commissioners to apply the sinking fund in this way. The only effect of the present system was, to depress the stocks for a short time, and cause a rise after the loan was contracted. The contractors were anxious that there should be a loan, as they derived profit from it; but this was his reason for objecting to it. He considered the question of such importance, that he should certainly take the sense of the House upon it.

The House divided: Ayes, 39; Noes, 117.

*List of the Minority.*

Crawley, S.
Calvert, N.
Clifton, lord
Clifford, A. W. J.
De Crespigny, sir W. C.
Davies, T. H.
Folkestone, lord
Grant, J. P.
Harcourt, J.
Harvey, D. W.
Hume, J.
Kennedy, T. F.
Latouche, R.
Latouche, J.
Lamb, George
Milton, lord
M'Leod, R.
Monck, sir C.
Moore, Peter
Marston, J.
Mackintosh, sir J.
Newport, sir John
Palmer, F.
Price, R.
Ricardo, D.
Robarts, A. W.
Rumbold, C. E.

Robertson, A.
Sebright, sir J.
Thorp, J. T.
Tremayne, J. H.
Wynn, C. W.
Webb, E.
Wilson, sir R.
Waithman, ald.
Wilkins, W.
Wood, M.
Williams, Owen
White, Luke

TELLERS.

Grenfell, Pascoe.
Althorp, lord

SALT LAWS.] Mr. *Wallace* rose to move for leave to bring in a bill, to alter and amend the salt revenue laws. On a former occasion it had been stated to the House, that the number of prosecutions for breaches of the salt laws were numerous and severe; and that the number of compromises under these prosecutions, amounted to 3,000, for which large sums had been paid. From the papers which had been moved for on that occasion, it appeared, however, that the total number in three years was 13, the charge on which was 357*l.*; and that of this sum, 265*l.* had been exacted. The whole costs amounted to 128*l.*, of which no more than 45*l.* had been received. This was the result of the numerous cases of hardship which were said to have taken place. He was anxious to point out to the House on what ground reflections injurious to the collection of the revenue were made. He knew the gentleman who was solicitor to the board of excise, and he could assure the House, that there was not any where a man less capable of abusing the power vested in him. There were twenty-four points on which he intended to introduce amendments in the salt revenue laws. He would mention two or three of them to the House. First, he intended that the bonds given by persons using salt should be cancelled after a certain period. With respect to conveying salt coastwise, such regulations would be adopted as would at once protect the revenue and the individual. Such alterations would also be made, as would enable poor fishermen and persons residing on the coast to lay up food for their families. He was aware that great benefits might be derived from the use of salt on land; and that the difficulty with which it was to be procured, more than the price of the article, was the cause why it was not more used; by the bill he was about to introduce, it was provided that depots should be established in different quarters of the country, where salt could be had at a moderate rate. The bill was one of details, and he thought it would be better to discuss its different points in committee. He did not mean to have it hurried through the House; so that gentlemen would, when it was printed, have an opportunity of considering it at their leisure.

Mr. *Calcraft* was happy to find that remedies were to be applied to the grievances complained of. He was not present when a motion was last made on this subject; but if he had, he would have felt it his duty to oppose that motion. With respect to the solicitor of the excise, he could say, that as far as he had the pleasure of knowing him, he was as honourable and upright a man, as any in the community. He would attend to the bill in its different stages, and he had no doubt but great benefit would be derived from it to the public. As long as it was necessary to continue this tax, the excise laws to be effective must be vigorous.

Mr. *Tremayne* hoped the fisheries would be relieved from the heavy obstructions that now existed against their making use of salt.

Mr. *D. W. Harvey* said, that the returns which had been read by the hon. member, stated that the prosecutions and compromises under the excise laws had been few, and the expences comparatively trifling. It gave him pleasure to hear this; but he was surprised that those returns on one part of the question had been furnished, while others had been refused. In a few days he would take an opportunity of moving for some other documents on this subject.

Leave was given to bring in the bill.

FOREIGN ENLISTMENT BILL.] The *Attorney General* rose, to move for leave to bring in a bill to prevent enlistments, and equipments of vessels for foreign service. Every state, he observed was at liberty to set restrictions on its subjects to prevent them from entering into the service of other states for the purpose of warfare. The law of our country on this subject, founded on a statute of Geo. 2nd, made it an offence amounting to a felony to enter into the service of a foreign state. The object of that law was, to prevent his majesty's subjects from engaging in the service of any state at war with another state with which he was not at war. But it was important to the country, that if neutrality was to be preserved, it should be preserved between states that claimed to themselves the right to act as states, as well as between those that were acknowledged to be states. The words of that statute might, however, raise a doubt how far it was intended to embrace those entering into the service of states not acknowledged to be such. It would be a most absurd statement of the law to say, that those enlisting in the service of an acknowledged prince or state, violated the law by doing so; and yet, that they were not prevented from entering into the service of unacknowledged states. The object of his bill, in a certain degree, was to amend the statute, by introducing, after the words, "king, prince, state, potentate," the words, "colony or district who do assume the powers of a government." The intention of introducing these words was to make enlisting in the service of unacknowledged powers, the same as enlisting in the service of those that were acknowledged. The law, as it stood, on two statutes, the 9th and the 29th of Geo. 2nd, annexed the heavy penalty of felony to the offence of enlisting in the service of a foreign state; but although the law, as it formerly stood and as it now stood, was equally against entering the service of acknowledged and unacknowledged states, yet it could not punish those who entered the service of unacknowledged powers. If any mother country were at war with her colonies, and the subjects of this country enlisted in the service of those colonies, the law could not punish them; but if they enlisted in the service of the mother country, which was a legitimate power, they were liable to the penalties of felony; for to enlist in the service of an acknowledged state certainly was a felony, as the law now stood. Looking at the circumstances of the times in which those laws were passed, it was not necessary to enact, that persons enlisting in the service of unacknowledged powers should be considered guilty of felony. But to make the law consistent, it was his object, by this bill, to reduce the penalty from a felony to a misdemeanour, and to make the law equally applicable to acknowledged and to unacknowledged powers. Enlisting in the service of those persons who had assumed to themselves the powers of a government (whether they were justifiable or not in assuming those powers he should not inquire, because he wished to avoid the political discussion of such a question), was a violation of that neutrality which this country professed to observe. He wished merely to give this country the right which every legitimate country should have, to prevent its subjects from breaking the neutrality existing towards acknowledged states, and those assuming the power of states. It was in the power of any state to prevent its subjects from breaking the neutrality professed by the government, and they were not to judge whether their so enlisting would be a breach of neutrality or not. It was important to the country that the law should decide, that no man should have a right to enlist in foreign service. That, in fact, was the meaning of the acts of George 2nd; and those acts would have been so expressed, if the circumstances which had since occurred had been foreseen. The law was "You shall not enlist in warfare under any foreign power, whether assumed or not, unless with the sanction of the executive government." The first object of the bill, then, was, to make the law equal, and to make the restriction extend to self-assumed as well as acknowledged powers. The second provision of this bill was rendered necessary by the consideration, that assistance might be rendered to foreign states, through the means of the subjects of this country, not only by their enlisting in warfare, but also by their fitting out ships for the purposes of war. It was extremely important, for the preservation of neutrality, that the subjects of this country should be prevented from fitting out any equipments, not only in the ports of Great Britain and Ireland, but also in the other ports of the British dominions, to be employed in foreign service. The principle in this case was the same as in the other, because by fitting out armed vessels, or by supplying the vessels of other countries with warlike stores, as effectual assistance might be rendered to a foreign power as by enlisting in their service. In this second provision of the bill, two objects were intended to be embraced—to prevent the fitting out of armed vessels, and also to prevent the fitting out or supplying other ships with warlike stores in any of his majesty's ports. Not that such vessels might not receive provisions in any port in the British dominions; but the object of the enactment was, to prevent them from shipping warlike stores, such as guns and other things obviously and manifestly intended for no other purpose than war. These were the objects of the bill, and unless it appeared to the House that they ought to distinguish between legitimate states (perhaps he ought not to use the word legitimate—he meant acknowledged states), and those self-constituted states that were unacknowledged, he could not anticipate any objection to the bill. If he were asked, whether enlisting in the service of an unacknowledged state was an offence against the common law as it now stood, he would say it was; but the only way of putting the law in force was through the medium of the legislature, as an act of parliament would embrace the subject at large. He then moved for leave to bring in a bill to "prevent enlistments and the equipments of vessels for Foreign Service." Before he sat down he begged to add, what he had forgot to mention when explaining the objects of the bill, that he proposed the penalty on the first offence should be for a misdemeanour, and on the second for a felony.

Sir *James Mackintosh* said, that if he could consider the present measure of his hon. and learned friend, merely as the introduction of a reform into our criminal legislation, he would not, on the present occasion, have made a single remark; or if he had, would merely have expressed his approbation of the proposed amendment of the law. The repeal of the two statutes of the 9th and 29th George 2nd, which constituted the entrance into the service of a foreign government a felony, he highly approved of; and he might, if they had not now been brought into discussion by his hon. and learned friend, have felt it his duty to have brought them soon under the notice of the House. They were founded merely on temporary circumstances, and enacted penalties which were revolting to humanity, and which, therefore, now could never be inflicted. His hon. and learned friend had given to these statutes a general character, as applying to all times and circumstances; but if he had looked into history, he would have seen that they were intended merely for temporary purposes; namely, to prevent the formation of Jacobite armies, organized in Spain and France, against the peace of this country. Though his hon. and learned friend, however, had endeavoured to disguise the subject, and to keep out of view the immediate objects which the measure was intended to serve, it was impossible to mistake its general character, or to avoid seeing its evident tendency. It was indeed a measure of temporary policy, affecting deeply the character and interests of the country, and requiring the most serious attention of the House before they proceeded one step in the enactment. The bill which his hon. and learned friend moved for leave to introduce might, however it was worded, and however cautiously its object was concealed, be entitled, "a bill for preventing British subjects from lending their assistance to the South American cause, or enlisting in the South American service." The cautious abstinence of his hon. and learned friend from the political question could not cover his purpose. On the general subject of the law, as it was now proposed to be amended, he would not make many observations. It was impossible to deny that the sovereign power of every state could interfere to prevent its subjects from engaging in the wars of other states, by which its own peace might be endangered or its own interests effected. His majesty could command his own subjects to abstain from acts by which the relations of the state with other states might be disturbed, and could compel the observation of peace with them. The question could not therefore turn upon this. He was surprised indeed to hear that this principle could be made a matter of dispute or doubt with his hon. and learned friend. It was from the assertion of it, at the present moment, that his suspicions were awakened. Why was the House called upon, at the present time, to assert a doctrine which no one doubted, unless it was meant to apply it to temporary objects? Was the principle itself doubtful, or was honest neutrality intended by the measure? The principles of neutrality only required us to maintain the laws in being, as they might affect the character of the belligerent; but they could not command us to change any law; least of all, could they require us to alter our laws for the evident advantage of one of the parties [Hear, hear!]. He was aware that his hon. and learned friend had said, that the enactments of his bill had placed both upon a level; but so far as they exchanged the existing law, they were in favour of one of the parties. According to the two statutes which this bill was intended to repeal, an evident advantage was enjoyed by one of the belligerents; and this bill was intended therefore to make the condition of one of them better, and of the other worse, than it was before. It was so far, therefore, a departure from our neutrality; as it made a law to affect one party to the detriment of another. His hon. and learned friend, therefore, instead of introducing a measure to preserve the equal rights of the parties, had introduced a measure in effect quite the reverse. It ought to be recollected, that those who engaged in the service of insurgent states, or states that have not been acknowledged among the family of nations, however respectable in themselves, were in a much worse situation than those who assisted recognized governments, as they could not be reclaimed as prisoners of war, and might, as engaging in what was called rebellion, be treated as rebels. This, therefore, might be one reason why they were exempted from the penalties authorized to be inflicted by the statutes of the 9th and 29th of George 2nd, the dangers to which they exposed themselves being considered sufficient to deter them. This new law, or this declaratory law, as his hon. and learned friend had called it, would go to alter the relative risks, and would become in fact a law of preference in favour to one of the parties. It was an impolitic and severe measure against a people struggling, not to throw off the yoke of the mother country, but contending against its re-imposition, after they had freed themselves from it. It was, in fact, an act of hostility towards South America, and of favour towards Spain; and viewing it in this light, he was sure it would be looked upon with regret by all the friends of freedom, and excite the indignation of the people of England. If the House did not oppose it—if they did not show their disapprobation of a measure so impartial in its nature—he would say, that they were dead to the interests of the nation, and were acting contrary to the opinions and the wishes of their constituents. He would not now enter farther into the proposed measure; other opportunities would occur during the progress of the bill for pointing out its tendency, as an occasion would arise in a few days for considering the general course of our policy towards those states against which it was directed. In the meantime, he could not refrain from expressing his disapprobation of a measure which he eould consider in no other light than as an enactment to repress the rising liberty of the South Americans, and to enable Spain to re-impose that yoke of tyranny which they were unable to bear, which they had nobly shaken off, and from which, he trusted in God they would finally be enabled to free themselves, whatever attempts were made by the ministers of this or any other country, to countenance or assist their oppressors [Loud cheers].

Lord *Castlereagh* protested against the introduction of the political topics with which the hon. and learned gentleman had filled his speech—a speech which while it professed to advocate the principles of neutrality, was as far from the spirit of neutrality as any that he had ever heard in that House. He would appeal to the House and the country—who he trusted, too well understood what the principles of neutrality and the character and honour of the nation required, to be deceived by the sophistry of the hon. and learned gentleman—whether they would depart from that regard which they owed to an acknowledged and friendly state, by allowing our subjects openly to take part with its enemies. With regard to the law as it formerly stood, he would say nothing; the policy of repealing the statutes of Geo. 2nd, referred to, even the hon. and learned gentleman admitted. He (lord Castlereagh) conceded to him that these statutes were not so much intended to secure a neutral conduct, as directed against a species of armament which threatened this country. But as his hon. and learned friend had moved for the repeal, it was thought proper to bring in a bill to uphold our neutrality, and to prevent the subjects of this country from entering into a service injurious to an acknowledged state. This law was necessary to prevent us from giving cause of war to Spain against us; and he was sure that the House was too just and generous to think, that because Spain was weak, and because her fortunes had declined, we ought therefore to permit her to be oppressed, and to do that which we would not have done if she were in other circumstances. He would ask the hon. and learned gentleman himself, whether, if common justice was not sufficient, it was not our duty to carry into effect the intentions which we professed? Was not the proclamation issued about eighteen months ago approved of, both in this country and America, as perfectly just in the principles of neutrality which it declared? And was it not a breach of that proclamation, when not only individuals whom perhaps it would not have been impossible to restrain, not only officers in small numbers went out to join the insurgent corps, but when there was a regular organization of troops, when regiments regularly formed left this country, when ships of war were prepared in our ports, and transports were chartered to carry out troops and ammunition? It was to prevent this that the present bill was brought in; and he would ask any member of the House, if such things were permitted, how we could boast of our neutrality? Indeed, so far from doubting the policy of the present measure, he owed some apology to the House and to the country, for not bringing it forward sooner; and he thought that the best apology would be an explanation of the reasons for delay. Till lately there was some hope of a mediation between Spain and her colonies; and so long as that expectation lasted, he wished to say nothing concerning the general policy of the existing laws. All these hopes were at an end, and it was now our duty to adopt a general system by which our conduct ought to be guided towards the parties while the war continued. It was a duty we owed to Spain, and to our own honour, while we professed to be at peace with her, not to allow ships of war to be equipped in our ports, or armaments to sail from them against her. The government of this country, during the whole of the contest, had observed the strictest neutrality even from the beginning; we were allied with Spain in active warfare; we had declared that we would not assist her against the South Americans; and we had hitherto carefully abstained from every act that could bear the appearance of favour or preference to one party or the other. It now became us to adopt a measure by which we might enforce the common law against those whose conduct would involve us in a war, and to show that we were not conniving, as we were supposed with one of the parties. Spain had made many remonstrances on the subject, and it was not till every hope of a reconciliation between her and her colonies had failed, that government had been induced to propose a law which ought to have been sooner introduced. It was, therefore, a little too much in the hon. and learned gentleman to censure the government of this country, as being hostile to the South Americans and partial to Spain, while we had delayed doing what another government, which he would allow to be free and popular, had done long ago. He would ask him, had the United States done nothing to prevent their subjects from assisting the South Americans? They had enacted two laws upon the subject, nearly of the same tendency as that now proposed. Would it not be a breach of our neutrality to allow whole regiments to join one side, while it was felony for a single individual to join the other? Was it not a disgrace to the country to preserve a law so unequal as that which inflicted death for assisting Spain, and allowed no means of preventing assistance being given to her enemy? The object of the present bill was only to make the law uniform, as regarded both, and to reduce the severity of its penal enactments. He should be ready to give explanation at the different stages of the bill, or to support its different clauses: but he must again protest against such conduct as that of the hon. and learned gentleman, who found out partiality where none was intended, and declared that we were unjust to one of the parties, because we wished to place both on the same footing [Hear, hear!].

Mr. *Ellice* said, that he could not profess any desire to maintain the neutrality for which the noble lord was so very solicitous, as he had no hesitation in avowing that he was a decided friend to the cause and object of the people of South America. Though the present measure was one of apparent neutrality, it was an act of real favour to one of the parties, and of hostility to the other. He would therefore watch it with severe jealousy. The government of this country had acted inconsistently; for either they had encouraged British subjects to embark in the American cause, or why had they not prevented them by adopting this measure sooner? He would ask the noble lord whether he did not know that upwards of 5,000 perhaps nearly 10,000, persons from this country had engaged in the naval and military forces of the insurgent states? Were all these subject to the penalties of the proposed law. Would the noble lord send out a fleet to the Pacific, to bring home the 3 or 4,000 seamen who were now on board the vessels of the new republic? He rose to express his dissent from the bill, and to declare that at every stage he would give it his decided opposition.

Lord *Castlereagh* said, it was not intended that the measure before the House should be retrospective.

Mr. *George Lamb* contended, that if this measure was now justifiable, we were remiss in not having enacted it sooner. It appeared to him, however, to proceed from no regard to neutrality, from no returning sense of justice, but to be intended to prevent the people of this country from going to the assistance of those who were struggling for their liberties, against what he would not trust himself with describing. It would have been much better to have declared this specific object than to have concealed it under a general enactment through which it was easily seen. The statutes which it was to replace referred only to particular circumstances, tot he enlisting of troops in France and Spain against this country, and was never intended to be permanent. Instead, therefore, of improving the old law, this measure constituted an entirely new one, to answer new circumstances. It was an egregious error, to allege that a measure of this nature was in accordance with the principle of the statutes of George 2nd for the object of those statutes notoriously was, to prevent British subjects from being engaged in hostility with the British government. But such was not the purpose of the bill proposed by his hon. and learned friend. That billhad indeed a materially different object. He admitted the right of the government to prevent its subjects from enlisting in the service of a foreign state, without the permission of his majesty; but he regretted to witness a disposition on the part of the government of this country, which ought to be the principal guardian, as it had long boasted of being the favourite abode of liberty, to restrain any part of its population from becoming the champions of that sacred cause, for which the people of South America were so gallantly struggling, against the universally degraded and fortunately decrepid government of Spain.

Mr. *Wynn* said, that the penalty of the former acts was by far too severe, and that, in consequence of their severity, they had become a dead letter on the statute-book. His hon. and learned friend, however, (sir J. Mackintosh) who was so well acquainted with history, was wrong, he thought, in supposing that they owed their origin to a design to prevent the formation of Jacobite armies. Before the 9th, and still more before the 29th, of Geo. II., all apprehension from the Jacobites had ceased. He believed that the statutes in question were rather intended to prevent British subjects from becoming soldiers of fortune in the service of other states—a practice common at that period. The substitution of the milder penalty proposed in the present bill, appeared to him a great improvement. This brought him to the second part of the question—Was it proper to prevent troops from being raised for the service of Spain in this country, and to allow them to be raised to assist the insurgents? When we heard of great bodies of men sailing for America, and saw transports preparing in the river, it was impossible to deny that we permitted acts in direct violation of our neutrality. The cause of blame was, therefore, not that we had proposed a law too soon, but that we had delayed it so long. But his hon. and learned friend had said, that the proposed bill was not of a neutral character, because it took away an advantage from one party, and placed them both on a footing. He would ask any hon. member if this was a breach of neutrality. It was a measure which we were bound in justice to enact. He was as little inclined as any hon. member to enter upon the political question. It mattered not what were the feelings and wishes of different individuals. They were here now acting as legislators, in behalf of England, and as a part of the supreme power of the state; and therefore it became them to maintain their relations with other states on an equal footing, not permitting unrecognized governments to enjoy what we refused to acknowledged governments. He objected to that part of the bill which went to aggravate a second offence into a capital felony—a severity of enactment which he thought unnecessary, as it was not likely that offenders who had been punished by imprisonment once, would expose themselves a second time.

Colonel *Davies* said, he was convinced that his hon. friends who spoke against the measure, expressed the sentiments of nine-tenths of the people of the united kingdom. Were we, whose boast it was to value freedom, and whose duty it was to extend its influence in every part of the globe, to sacrifice our character by restraining the efforts of those patriots in rescuing themselves from a bondage imposed on them for centuries? If the real object was neutrality, let the restrictions as they affected Spain, be repealed altogether, and let it be open to the people to give their services to whichever party they pleased: the public feeling on the question would then be manifest. It was not his intention, in that stage of the measure, to argue it on the nature of our external and internal policy, but he could not help observing, that at a moment when the gallant soldiers who had fought the battles of the country were in a great proportion paupers on their parishes, and when British officers were subsisting on a miserable pittance, it was most extraordinary they should be forbidden from following their own disposition to espouse the cause of liberty and independence in another hemisphere, under the penalty and disgrace of transportation for seven years.

Sir *J. Newport* said, the noble lord had stated, that the government of this country had postponed the proposed measure until the mediation between Spain and the South American provinces had terminated. In that assurance he did not concur with the noble lord. He was rather disposed to believe, that ministers had waited until they found that the negotiations of Spain with the United States of America had ended in a cession of territory to the latter. He should not go into the subject then, but feeling as he did, that it was a most important question—a question on which the opinion of the country was more decidedly made up than perhaps on any other political topic, he should give it his opposition in every stage of its progress.

Sir *W. De Crespigny* believed the interests of the country were never more concerned than in the issue of the South-American cause. Any measure likely to operate against its success was most injudicious; and from information he spoke when he stated, that an armament was now preparing to sail from Spain against Monte Video. The nature of our commercial connexion in that quarter of the world was too important to be overlooked, or hazarded by any injudicious interference.

Mr. *Martin*, of Galway, observed, that he certainly should vote for the bill, and he should do so, even were he in the habit of offering up his earnest prayers day by day and night by night, for the success of the South Americans, and the emancipation of that continent from the thraldom of Spain. But, whatever his opinion as an individual might be, as a member of parliament he was bound to view the question, as it affected the policy and interests of this country. That policy was on all sides admitted to be neutrality. To empower the crown to preserve that neutrality, the legislature must afford it the necessary means. As one of those necessary means then he supported the present bill. To the hon. and learned gentleman who spoke from the other side (sir J. Mackintosh) and to every observation of his, he had listened with profound respect; he had stated, that there already existed numerous disadvantages to restrain persons from engaging in the service of the South Americans without the present measure; that they were subject to be treated as rebels, and could not be claimed as prisoners of war. Knowing, then, that such penalties attached to such a course, was not that House, on the principles of humanity, bound to interpose, and to restrain the subjects of the king from precipitating themselves into situations of peril, where they were deprived of the ordinary rights of war? It was a principle on which the House frequently legislated: it did so when it endeavoured to restrain gambling; it interfered with no liberty of the individual, but the liberty of ruining himself.

The gallery was cleared for a division, but none took place; and leave was given to bring in the bill.

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## HOUSE OF COMMONS.

*Friday, May 14.*

GAME LAWS AMENDMENT BILL.] Mr. Brand having moved the order of the day for farther considering the report on this bill,

Sir *John Shelley* said, that he could not give his vote for this bill, because the effect of it would be to put guns into the hands of every person, and would sanction the indiscriminate slaughter of game. He did not think that the great landed proprietors would feel all the ill effects of this bill at first; and as the good it was to do was at all events speculative, he thought it much better to leave the law as it now stood. If such a theoretical measure were adopted, the sports of the field, by which the bold and manly qualities of the higher orders of the people were cherished and invigorated, would be entirely annihilated, and the country would indeed dwindle into that which it had been contemptuously asserted by Buonaparté to be—a nation of shopkeepers. He would therefore move as an amendment, that the report be taken into farther consideration on that day six months.

Sir *John Sebright* contended, that the principle of the bill must be respected in every country where property was respected. The principle was this—that where a man had property he should have power and control over it. The game laws, as they now stood, were perfectly nugatory; they gave to persons warranted to kill game, powers which no man had a right to possess; they gave to persons so warranted the power of going into a gentleman's plantations and destroying his game; they gave that power for once—if the offence was repeated, then the person was liable to be punished. But for what?—not for killing game, but for trespassing. Nor was it a trifling injury to the game of a gentleman, that adventurers had the right of so entering on his plantations, even for the first time. The hon. baronet who last sat down, knew that a trespass of that kind ruined the shooting for the rest of the season. Besides, it should be recollected, as an intolerable grievance, that persons from distant places, whose names could not, in many instances, be learned, were not contented with thus trespassing on private property—trespass he would call it, though the law did not—but they also outraged the feelings of the proprietor if he attempted to protect his property from injury and intrusion. The property of men of moderate fortune should be equally protected with that of those rich and influencial men, who procured laws to punish offences which their monopoly created. Copyhold holders of land could have no game, unless by having a qualified keeper; and was it to be tolerated that such distinction should be still continued? There was no difficulty in selling game, however contrary to law, so inefficiently did it operate. Why, then, should it be longer continued? The feelings of the people were hostile to the principle of the game laws; and laws opposed to the common sense of justice and of right should not be continued. Poor men were imprisoned for killing game; and though convicted, as if of crime, their neighbours and the country still held them wholly innocent. He valued the possession of game, and had as much of it as most men; but he would still contend, that with the increase of game poaching increased, and that the whole system was only protected by force of arms. He should therefore be ashamed to stand up in his place and support a system, so demoralising and so destructive in its consequences. The present should not be taken up as a sporting question. It was well worthy of the consideration of his majesty's ministers, and if its evils were not removed, a great portion of the people would gradually degenerate into gangs of banditti [Loud cheers].

Mr. *Long Wellesley* also supported the bill, and maintained that those gentlemen to whom the kingdom was most indebted as magistrates, did not reside in the country only because they could enjoy the diversion of shooting, but because they delighted in making themselves useful as well as in the amusements of rural retirement. There was no danger that the English gentry would forsake their properties, because their neighbours as well as themselves had a right to shoot. The existing laws were both absurd and odious; at least, absurd and odious in many of their provisions; and the object of the measure before the House was to repeal what was objectionable, while it retained all that could be of advantage. No man enjoyed fox-hunting more than himself; he pursued it with the utmost ardour; but it was undeniable that that very ardour was the occasion of the destruction of much valuable property belonging to those who could ill afford the loss. The effect of this bill would be, to make game a marketable commodity, and it was ridiculous to argue that it would thereby become scarce. Were there not plenty of rabbits and wild fowl in the country, although every poulterer might buy and sell them in any quantity? One third of the property of this country was in the hands of persons who had no means of obtaining game but by purchase; and while this was the case, all laws prohibiting the sale were vain, and could only lead to the practice of poaching. Poaching, as was well known, was the parent of all crimes. Would they, then, by the continuance of a system which necessarily led to poaching, place the poor of this country in a state of degradation still lower than they were now in?

Mr. *E. Douglas* contended, that the question was not whether there were evils under the present system, but whether those evils would not be increased by the present bill. It was well known what a number of disputes arose at present, from attempts to decoy game from one property to another. But the present bill would produce twenty persons desirous of preserving game in place of one; and a person would be more anxious to preserve his game in proportion as his property was small. He thought game ought to be left in those hands in which it could be with most safety placed. This was the only way of preventing those irregular habits which attended a people of sportsmen. The present bill would give to the yeomanry of this country the habits and character of sportsmen; and would take from them that respectful submission and manly dependence on the laws, which at present characterized them. With respect to poaching, he could not see how the bill would put a stop to it. It was said that it would diminish the profits of the poacher, and reduce him to abandon that pursuit; but profit had comparatively little to do with the motives which determined a poacher to prefer that pursuit to all others; it was the indolence of his life, and the daring and adventurous character of the pursuit which were its great attractions to him. But the diminution of profit would be counterbalanced by the greater facility of concealment which he would obtain. It was thought game would be better preserved when many were interested in it; but there was an old proverb, that what was every body's duty was nobody's duty; and game would be more effectually preserved by one active gamekeeper, than by a number of other persons who had a variety of occupations to attend to. On every view of the injurious effects of the bill, he felt bound to oppose it. The happiness and morality of the people was the first thing to be considered; but he thought both would decidedly be risked by the adoption of the proposed measure.

The Marquis of *Tavistock* could not allow this question to go to a division, without giving his cordial assent to the principle of the bill. He really could not see what there was objectionable in that principle. It was impossible for gentlemen to disguise from themselves, that the present game laws were an intolerable grievance. That the increase of poaching had been their only effect, he held in his hand some returns, which, if the House would permit him to read, would strongly demonstrate. They were returns of the number of committals in Bedford, the small county which he had the honour to represent, for offences against the game laws during the last ten years. In 1809, there were four; in 1810 two; in 1811 four; in 1812 five; in 1813 five; in 1814 thirteen; in 1815 twenty-four; in 1816 thirty-three; in 1817 sixty-one; and in 1818 eighty. He particularly called the attention of the House to the growing and enormous increase of the four last years. Notwithstanding all he had heard, he thought none would be tempted to purchase game from the poacher, but those who were equally disposed to rob a hen-roost. An hon. gentleman had talked of the desperate character of poachers: he would remind his hon. friend, that some years ago, when the ancient sanguinary enactments against it were in full force, deer-stealing was thought of, by the people of the country, more as a matter of good sport than of serious crime; it was viewed by them in the same light as poaching, under the same laws, was now. The ancient law, however, was altered; deer was permitted to be sold; and the consequence was, that persons were now as little liable to steal a deer as to steal a sheep. The gentlemen of England would not, surely, think of leaving their estates, because their game might probably be lessened. He thought the game laws unjust and improper, and he should therefore give his hearty approbation to the bill of his hon. friend.

Mr. *George Bankes* rose, he said, with great hesitation to express his opinion on this bill. It must have occurred to every one, that it was from its nature impossible to put game under the same ascertained regulations and laws as other property. The honourable gentleman discussed the policy of the bill, which he thought not merely questionable, but in direct opposition to the interests of those whom they were called upon to protect: in particular, adverting to some of the clauses against the extreme severity of which he protested, he observed, that an hon. member who had most considered the subject, and was remarkable for his general character of humanity and feeling, had confessed, that if they erased those clauses, although thus severe, he could not carry his object into execution. If this bill passed into a law, all the enjoyment of sporting would be considerably cramped and diminished; its effect would be, that at no distant period game would become incredibly scarce; and one consequence of thus distinctly recognizing it as private property would be, that the clergy would claim their tithes upon it. Certainly they would claim every tenth pheasant and partridge. Strenuously as he opposed this bill, however, if the principle of it could be so modified as to promote cordiality and good-will between the farmer and the landlord, it should not want his support.

Mr. *Wilberforce* said, that whatever might be the views which he had taken of the subject, he had been satisfied of one thing—that his hon. young friend who had just sat down, had exhibited very great sagacity and much talent in the way in which he had considered the question. He only wished that he had spoken in a better cause. It was a well-known process of persuasion which the mind employed with itself, to shut itself against all the arguments on one side of a question, and to receive all those on the other side. His hon. friend had quite overlooked the fact, that there were in this country a very great number of persons who would have game on their tables, by some means or other; therefore they must either provide those persons with the means of obtaining that game, or they must leave the public exposed to the operation of all the crime and guilt by which it was at present procured. He well remembered that Dr. Franklin could not, it was said, look upon sugar without reflecting on the blood, the cruelty, and the anguish by which it was prepared, and with which its preparation was accompanied; now the same idea struck him, and he thought must strike every person, at the sight of game on the tables of those, who were, by consuming it, encouraging, perhaps unconsciously, the criminal practices of the poacher. It was manifest to him, that with the increasing wealth of the country, there must be an increased temptation to commit this offence. The House should recollect also, that in legislating on this subject, they might be considered as contending for their own interests, and against the interests of the community. He sincerely hoped that some change would be made in the present system of game laws, a change that would permit the fair indulgence of hospitality, and be less injurious to the practice of morality.

Mr. *Henry Bankes* complained, that the principal points in his son's argument had been overlooked, or left unanswered, in the speech of his hon. friend. The operation of the bill now before the House would be to increase poaching in a tenfold degree. He could see nothing in the provision respecting licenses that would in the slightest degree tend to repress it. His hon. friend had contended that the prevalence of poaching was a reason for altering the law; but he must express his surprise at the quarter from which this argument proceeded. Was the practice of vice any reason for abolishing its punishment; and were not all offences against positive law to be regarded as criminal? If this bill were to pass, the work of poaching would go on, till, at the end of about four or five years, all the game would be destroyed, and the poacher be then induced to commit hardier crimes for his support. As to what had been said about the general law of Europe, he would take leave to say, that that general law was founded on the Roman law, by which no property was recognized in animals of a wild or unclaimable nature. In the year 1793, when new doctrines about the rights of man began to be promulgated, the French legislature passed a decree abolishing seignoral jurisdictions, manorial rights, &c. To celebrate this event, *Te Deum* was ordered to be sung, and the monarch was invited to assist at its performance. The words of the new law were these:—" The right of taking and destroying game is free to all men on their own territories." The present bill would establish the same principle; but with this difference in its application—that whereas the French legislators provided that it should be allowed to the peasantry to take game by any means except fire-arms, the hon. gentleman had provided that fire-arms should be the only means of pursuing the occupation. The bill, he was confident, would be productive of the most dangerous consequences, although it was a sufficient ground for opposing it, that it introduced, without any prospect of advantage, a material alteration of the existing law.

Mr. Marryatt, Mr. Scarlett, and a new member (lord Clifton), rose together. Mr. Marryatt had first caught the Speaker's eye, but there was a general cry for the new member. A member suggested, that it was a matter of courtesy that a new member should be first heard. The Speaker observed, that the hon. gentleman was mistaken as to the practice of the House. In the first session of a parliament every member was a new member. Mr. Marryatt then proceeded amidst loud coughing, and cries of " Question," so that we could only collect that he supported the bill.

Lord *Clifton* said, he was of opinion,

that the thanks of the House and the country were due to the hon. mover of this bill, for his indefatigable zeal in bringing to light the evils of a system as pregnant with danger to the constitution as any that existed. It was a system in which the seeds of immorality were deeply laid, and flourished with a rank luxuriance. If game should be preserved and increase under the operation of this bill, as in his opinion it would, a certain advantage would be gained; but if, as some appeared to think, it would gradually decline, poaching must decline with it, and he preferred this latter result to a continuance of the present system. With regard to the effects of the late act, he would mention one circumstance indicative of its operation, which had come to his own knowledge. A poacher was prosecuted for a penalty of 25*l.* and immediately went to those who had bought the game of him, and threatened to lay informations against them if they did not reimburse him for his expenses. By this means he raised 40*l.*, and was convicted in the penalty of 25*l.*

General *Grosvenor* said, that this was a bill, not so much to amend the game laws, as to make game of the constitution. He was astonished that certain gentlemen on the other side had kept their seats so long, instead of rising to give their opinions on this measure. This was any thing but a game bill, or a moral bill—it was a bill of a most dangerous tendency, as it went to put arms into the hands of all classes of people in the country. Such a measure ought to be looked to with great jealousy, and he was surprised not to have heard the opinions of his majesty's grave and learned counsel upon it. If this bill were carried, it would be necessary to keep up an additional force of 12,000 men, to provide against the danger to which it would subject the country.

The Marquis of *Titchfield* thought the game laws, as they now stood, were nothing less than an oppression of the poor for the convenience and comfort of the rich. He trusted those statutes would not long hold out against the increasing liberality of the times. He fully concurred with the principle of the bill then before the House; but there was one clause in it to which he had a decided objection—it was that which went to legalise the sale of game. If this clause were altered, he would support the bill; but, as he understood it was considered essentially necessary, he felt himself bound to support the amendment.

Mr. *Scarlett* said, that at that late hour he should not trouble the House at much length; but he thought it his duty briefly to state the grounds on which he should support the bill. They were all agreed that poaching was one of the greatest evils with which the country could be afflicted, and that it ought to be suppressed by all possible means. If he thought the present bill tended to encourage that in the slightest degree, he should certainly oppose it; but because he believed that the effect of it would be directly the reverse, he should support it. The measure went to give the tenant of the land some interest in the preservation of the game, which he considered to be the best means of putting an end to poaching. All his experience on the subject showed him, that the tenant was at present an enemy to the preservation of the game on the land he occupied, because both the animals themselves, and the pursuit of them by strangers, injured his own crops and marred his labours. It was no profit to him, but, on the contrary, a continual source of annoyance and damage; accordingly, he rather winked at poaching than exerted himself to suppress it. It had come within his own knowledge that farmers, when wages were low, partly paid their labourers by allowing them to poach on their land at night. By the measure proposed, every tenant on a gentleman's estate would be made a game keeper. The game was, in effect, by this bill, made the property of the owner of the soil; as it vested the property in the occupier, with a power to the landlord to make an exception of it in the lease. The indifference of the people as to obeying or enforcing obedience to the existing game laws, proceeded from the opinion that it was common property: with this impression on his mind, the poor man felt that it was as just to impose penalties on the consumption of water or air as on the taking of game: he thought that what was the property of all was the peculiar property of none, and consequently looked on the game laws with no sort of respect. But if game was once made property, the people of England would look on it with the same eyes as on every other species of property. He did not mean to say that he did not think some parts of the bill objectionable; but whatever there was of that description might be removed in the committee. The principle of the bill was most excellent. He took it to be this—

that it destroyed the qualification, and made game property—that it enabled every proprietor of land to secure the right of it to himself. A man that rented 500 acres, and paid 1,000*l.* a year to his landlord, was, by the present law, liable to every species of depredation from game, and in quest of game, and could not destroy it himself if he wanted a qualification. He could not believe that the sale of any article would have the effect of diminishing the quantity of it. He did not see that the sale of horses or cows produced that consequence; on the contrary, he was of opinion, that rendering the sale of game legal, would cause an increase to meet the increased demand. If this bill should pass into a law, his conviction was, that in the course of time the mass of the people would renounce the opinion they entertained of the severity and oppression of the game laws, and that they would learn to respect property in game.

Mr. Alderman *Heygate* said, it was pretended that this bill tended to increase, rather than diminish game, a proposition which he could not assent to, because the bill went to increase the number of destroyers. He thought the morals of the people would be injured rather than improved by it. He conceived their morals would be better improved by the residence of gentlemen of property on their estates in the country, to which the exclusive privilege of destroying game was a principal inducement.

Mr. *H. Sumner* opposed the bill. The learned gentleman opposite had defended the principle of the bill, by arguing, that poachers did not at present look on game as private property, and that if it were once understood to be property, it would be as much respected as poultry and pigs. He differed entirely in opinion from the learned gentleman. In that part of the country where he had the honour to act as a magistrate, whenever he had found a man robbing a hen-roost or a pig-sty, he had always discovered that that man was a notorious poacher. If poachers were conscious that game was as much property as any thing else, a moral feeling would not restrain them from committing depredations on it.

Mr. *Brand* rose to reply. He said, that most of the objections he had heard had been directed against particular clauses; but he had heard none of any weight against the principle of the bill. There was one objection which he had heard with no small surprise, as it seemed to imply that the gentlemen of England returned into the country, not to cultivate the affections of their tenants, but for the trifling and contemptible object of enjoying the amusement of killing game. It had been justly remarked by Madame De Stael, that the influence of individuals in this country depended not on the splendor in which they lived in the metropolis, but on the influence which they possessed in the country. It was this, and not the trifling amusement (he ought, perhaps, to call it by a harsher name) of shooting game, that gave weight to the character of an English gentleman; and he hoped he should never more hear this argument urged. He was aware of the force of the objection which had been founded on the inordinate power which the bill gave to search for game; and he had nothing to place against it but the moral feeling which he hoped to excite by the bill. The argument of the hon. gentleman who had so warmly opposed the measure, had produced in his mind no conviction as to the principle of the bill, although the hon. gentleman had displayed great ingenuity in attempting to shake it to pieces by attacking its details. The ruin of many of the most spirited and most promising young men in the country could be traced to the rigorous prohibition of the sale of game. One of the best labourers he had ever known had been executed for a most atrocious murder in consequence of this very evil. He had, while attempting to take larks in a net, caught some game: he did not know where to dispose of it till he was directed by an acquaintance to a set of poachers, who, having thus obtained a power of informing against him, induced him by menaces and invitations to adopt a course of life which terminated in his execution at the last assizes in Chelmsford, for a most atrocious murder. All this had taken place in the course of three years. It was with a view to prevent the recurrence of such afflicting cases, that he had brought forward the present measure.

The question being put, that the words "bill be re-committed" stand part of the question, the House divided: Ayes, 59; Noes, 119. The bill was consequently lost.

Penryn Bribery Bill.] The House having gone into a committee on this bill, Thomas Treloar was called in, and examined by sir C. Burrell. The witness said, he was acquainted with election transactions in Penryn. There had been a strong party in favour of sir Masseh Lopez. Meetings had been held in his favour.—Does the witness recollect attending on sir M. Lopez, with a statement of the numbers that would vote for him?—No. In what terms did the witness convey to sir M. Lopez the number that was ready to vote for him?—He could not state the terms in which he had spoken of support for one of the candidates. He had never said that a certain portion of the electors would vote for sir M. Lopez, for a pecuniary consideration. He had, however, said, that sir M. Lopez would carry his seat if he came down.—The witness was asked if he never said that money would be given, and he replied that he could not deny but that money was mentioned for a seat. Being asked, if he had stated the sum requisite, he replied that he had, and that he had mentioned 2,000*l.*, which was to be divided among 200 persons. He said that this sum was sufficient to influence 100 persons. He always considered a present of 24 guineas to each voter to be requisite.

John Edwards was the next witness. He described himself as an attorney at Truro, much in the habit of attending the elections for Cornwall. He was pretty generally consulted as to the right of voting according to the constitution of the several boroughs in that county. Among other places he had been at Penryn at the last election, where he had heard that sir M. Lopez was invited to become a candidate. The Penryn breakfast he understood to mean a pledge or promise of 24 guineas to any voter who would support two candidates. Had heard of some dissatisfaction with respect to Mr. Swann for not giving any public breakfast; but he did not believe that any candidate could be returned for Penryn by means of money [a laugh.]. If such a man as Mr. Sewell, however, would introduce a candidate with money to the electors that introduction would, no doubt, have great weight. Witness believed, but he could not state with certainty, that there were from 8 to 900 freeholders in the two adjacent hundreds.

Edward Budd was next examined. He was editor of the newspaper published in Cornwall, called "The West Briton." After the election of Penryn, Mr. Anderdon had an interview with him, and a conversation took place, which the witness throwing himself on the candour of the House, begged to say Mr. Anderdon never expected would be revealed. He was, however, in the hands of the House, and should obey their orders. The witness then read an article from the newspaper, highly complimentary of the conduct of Mr. Anderdon, and his popularity at Penryn. This article was given to him for insertion by Mr. Anderdon. In the course of conversation, Mr. Anderdon talked of the bribery practised at Penryn by the returned members. Witness remarked, that any man who knew Penryn, knew that nothing could be effected without money. Mr. Anderdon admitted the fact, and said, that all his engagements should be fulfilled when he could do so with safety.

The chairman reported progress, and obtained leave to sit again on Monday.

## HOUSE OF LORDS.

*Monday, May 17.*

ROMAN CATHOLIC QUESTION.] The Earl of *Donoughmore* rose, in pursuance of the notice he had given, to call their lordships' attention to the petitions on the table, praying for relief to the Roman Catholics. In furtherance of the object he had in view, he felt it to be his duty to submit to their lordships a resolution, to the effect that this House do resolve itself into a committee to consider the state of the laws which inflict civil disabilities on account of religious opinions, particularly in so far as those laws deprive his majesty's Roman Catholic subjects of the exercise of their civil rights; and in how far it may be expedient to alter or modify the same. Such was the nature of the motion with which he intended to conclude, and he believed no question of greater importance in all its relations could be brought under the consideration of parliament. The importance of the subject could not fail to be felt by their lordships, when they recollected the great proportion of his majesty's subjects affected by the severe and, as he must contend, illiberal exclusions which it was his object to remove. The law as it now stood, disqualified and rendered incapable of sitting in parliament and holding various civil and military situations, no less than four-fifths of the population of the country from which most of the petitions now on the table relative to this question had come, and if to that portion were added the Roman Catholics of England and Scotland, it would be found that the exclusion applied, to at least one-fourth of the population of the whole united kingdom. This was a state of things which appeared at the first sight strongly marked with severity and injustice: for the men composing this great proportion of their lordships fellow subjects' were disqualified, for no other apparent reason, than a conscientious adherence to the principles of the religion in which they had been educated. The old unreasonable grounds on which their exclusion was defended had gradually been abandoned. The opinions which had been attributed to them had been, both in and out of that House, acknowledged to be unfounded; and yet laws enacted on these erroneous views were still maintained in force. It had been asserted, that Roman Catholics held the doctrine, that engagements made with professing other religions were not binding on themselves, and that they would make use of any power which they might obtain to destroy our establishments in church and state. If it were possible that such absurd charges had ever been believed, the whole experience of the last century, and especially that of the last forty years, was sufficient to prove its falsehood. The legislature had, to a certain extent, already mitigated the laws which operated against them; and in proportion as the disabilities were removed, their loyalty and attachment to the constitution had been more and more strongly evinced. What objection could now be made to the total repeal of these disqualifications? No proof had ever existed of the charges which had been made against the Catholics, and nobody now believed them. As a proof of the change of opinion on this subject, he would refer to what had passed in another place, where a right honourable gentleman, distinguished for his opposition to the claims of the Catholics, had distinctly disavowed the absurd charges made against them. The noble lord opposite had also abandoned most of his objections to granting relief to the Catholics, and now insisted only on one or two points as affording ground for opposition to the relief demanded. These objections were, the foreign jurisdiction asserted to be acknowledged by the Catholics, and a persuasion of the impolicy of admitting Roman Catholics to participate fully in a Protestant constitution. He had no doubt that, like all other unfounded apprehensions, these would soon be removed. As to the only important point, the foreign supremacy, it was altogether spiritual, and the Roman Catholics acknowledged none that in any way interfered with their allegiance. On this point they were willing to give the most complete pledges and securities; and if that were done, surely no objection could exist in the mind of the noble earl to the repeal of the disqualifying statutes—laws which, so far from affording any advantage to the state, tended only to its injury, by exasperating the feelings of those against whom they were directed. If the House went into the committee, the ulterior measures which he should propose would be chiefly some alteration in the oaths required to be taken by members of parliament and persons holding appointments under the government. In the first place, he would propose the repeal or modification of the declaration oath, a great part of which amounted merely to a denial of doctrines held by those who believed them to be the great truths of the Christian religion, and had no reference whatever to the political question on which disqualifying statutes had been founded. His next object would be to obtain the repeal of the oath of abjuration. What reason there could be for maintaining on the statute book an oath against the claims of a non-existing family, except to exhibit to the world an absurdity, he did not know. The oath of supremacy he thought might remain. After all that had passed, and the great light which had recently been thrown on the subject, he trusted that the relief asked by the Roman Catholics would be granted. Through the whole of his parliamentary life he had earnestly and sincerely supported their claims. It would be difficult for him to offer any new arguments, in their support; but he thought it would be still more difficult to maintain the converse of the problem, and show any good reason for their exclusion from the benefits of the free constitution which their fellow subjects have the happiness to enjoy. He should therefore refrain from troubling their lordships farther. Were it necessary, which it certainly was not, he was not well enough to enter into all the details which this important question presented, and should consequently, conclude by moving the resolution stated in the commencement of his speech.

The Bishop of *Worcester* said, he could not give his concurrence to the prayer of the petitions on which the noble earl had founded his motion. He was surprised at the strange notions which prevailed on this subject; and that it should be supposed by any persons, that a professor of the doctrines of the church of England must necessarily be hostile to the granting the claims of the Catholics, merely on the ground of their religious opinions. Nothing could be more unfounded than such an idea. Their lordships would allow him to say, that whoever supposed that members of the church of England could be enemies of the Roman Catholics on such grounds, were ignorant of the faith professed by that church. It did not follow, however, that the Roman Catholics should be admitted to all the privileges they claimed. Whatever unnecessary severity existed in the laws it was proper to remove, and such had been the course pursued by the legislature. Much had, within the last two years, been done in this respect. An act had passed which admitted Roman Catholics to the military and naval service, but he could not think t adviseable that they should be appointed o the highest commands, or permitted to ill the highest offices in the state. The aws against them had hitherto been administered tenderly and sparingly. Those which still existed would doubtless continue to be so administered, unless some vent should occur to render their strict nforcement necessary; and on that round it would be imprudent to repeal hem. It was said, that the motives which induced the Roman Catholics to efuse taking the oaths ought to be treated with candour. It was doubtless their ordships' duty so to do; but it was also heir duty to guard against the influence f a captivating expression, and to take are, in following the advice to exercise andour to one party, that they did not jure another. Could he persuade himlf that no injury would accrue to the onstitution from their admission to all e privileges of the constitution, most adily would he accede to their claims. o extend those privileges to all descripons of persons was doubtless what ould be the first feeling of their lordships the proposition of such a question; but eling was not the only rule by which ey were to be guided in legislating. In rmer discussions on this question much ess had been laid on authorities, and the name of Locke had been referred to on both sides; but before his principles on civil rights could be appealed to as authority, their lordships ought to consider what he had stated in his first letter on toleration, part of which had been remarked upon by a dignitary of the church. That writer had said, that the Roman Catholics had no right to indulgence from others, as they granted no indulgence themselves. This he admitted, was an indefensible proposition, but the other part of the argument, that those who hold offices under the government should be of the religion of the state, was in his opinion well founded. The reason for adhering to this principle in this country was particularly forcible, as the Protestant religion was so intimately woven with the whole system of the constitution. Under such a constitution, it would be dangerous to admit to offices of high trust persons indifferent to the religion of the state, and still more dangerous so to admit the enemies of that religion. He was aware that many noble lords entertained a view of the subject very different from his. They placed full confidence in declarations of attachment to the constitution, and had no apprehension of any danger from the admission of Roman Catholics to every privilege. He was disposed to give full credit to the sincerity of those who made the declarations in question, but he still thought that general declarations were to be received with caution. A foreign authority was acknowledged by the Roman Catholics, and though it was asserted that that acknowledgment had no political character, it was still a ground of suspicion; for it was obviously extremely difficult, if not impossible, to separate entirely temporal from spiritual authority. The temporal authority of the pope was disclaimed, but he doubted how far this could be acted on by those who so fully acknowledged his spiritual power. It appeared to him, that by concession the danger of the establishment would be increased ten-fold. The next thing looked to in Ireland would be the establishment of the Roman Catholic religion; and the irritation which prevailed, instead of being allayed would be increased; for a desirable object was always pursued with passion and eagerness in proportion as its attainment appeared near. In that country, where, according to the noble lord's statement, the great majority of the population was not of the religion of the state, a government of the most mild and just character prevailed. The noble earl at the head of that government was most deservedly popular, and nothing illiberal could be apprehended from him. Such was the way in which he hoped the government would always be administered; but he must protest against bringing the Roman Catholics within one single step of putting their church in the place of the establishment. They might then say to the legislature—You have given us our elective franchise, you have educated our youth, you have admitted us to civil and military offices, and to seats in parliament, but our religion is only tolerated; why is it not established? why is this last act of justice denied to us? Let it be remembered, that this is the language which might be expected to be heard from a numerous and powerful body from the great majority of the population of that country. This view of the subject presented considerations of so serious a nature as would, he trusted, induce their lordships to listen with caution to the claims which were addressed to them.

The Bishop of *Norwich* said, he felt an attachment to the church and the constitution as sincere andcordial as that of his reverend friend could be, though he was so unfortunate as to differ very widely with him on the means by which security was to be given to these establishments. He would never suppose that the security of the church was to be promoted by exciting false and frivolous alarms. He was anxious to give his testimony against all attempts to raise a clamour among the ministers of the church, on the pretence that the establishment would be in danger, were the claims of one-fourth of the population of the British empire to the enjoyment of civil rights granted by parliament. That a Christian church should be endangered by an act of justice was a proposition contrary to the great maxim of the religion of Christ, namely, "Whatsoever you would that others do to you, even so do ye unto them." Amidst all the clamour which had been raised, he had heard no solid objection against the measure demanded by the Roman Catholics. The British constitution was best supported by carrying into full practice the liberality of its principles. The broader the foundation, the more secure would be the superstructure. Now, when every argument hitherto urged against the Catholic claims had been triumphantly answered, their lordships were told that this acknowledgment of a foreign supremacy was an insurmountable bar to the concession demanded by the petitioners. He should not trouble their lordships by entering into any details of the construction put on the oath of supremacy by archbishop Cranmer and others. It was sufficient for him to observe, that the Catholics in general were ready to take the oath in its present form, with a slight addition, which would render it equally binding, while the change was unexceptionable. The present form of the oath declared, that the person taking it denied the right of any prince, potentate, or power, to exercise authority in this country, either ecclesiastical or civil. The addition proposed was to this effect—"in so far as the same may interfere with the allegiance due by subjects to their lawful sovereign." This he thought must prove perfectly satisfactory. At all events, things could not long go on as they were. In the present state of knowledge and of public opinion, so disgraceful an anomaly as the exclusion of four million of people from the privileges and rights of the constitution merely on account of their conscientious adherence to religious principles, could not long exist. This anomaly could the less be defended in the case of the Roman Catholics, as it exhibited towards them a cruel and unjust partiality, to which no other sect of dissenters from the established church was subject, and that, too, merely on account of the oath of supremacy, which other sects were bound in conscience to reject as well as them. There was no denial of civil privileges to the members of the church of Scotland. It was admitted on all hands, that there was not a better set of men in the British dominions than the adherents of that church, more attached to the constitution, more loyal in their principles, and more submissive in their conduct: and yet they contended, that his majesty had no authority in spititual matters, and that all spiritual authority was vested exclusively in the kirk. They maintained as a tenor of their creed, as an article of faith, that the civil magistrate never had and never could have any supremacy whatever in spiritual or ecclesiastical matters; but he would ask their lordships, were these excellent persons who composed the Scotch church less deserving of political confidence, less attached to the principles of our civil constitution, or less firm in their allegiance to the king, than the members of the church of England? No; their fidelity and attachment to the house of Brunswick had been conspicuous features in their character, and their loyal conduct, joined to all the other qualities of good subjects, had gained them a safe admission to all civil employments of the state. Here, perhaps, he should be told, that although the church of Scotland did not own the king's supremacy in spiritual matters, it differed from the church of Rome in this respect, that it acknowledged no foreign jurisdiction. But even this distinction did not exist between the Roman Catholics and another sect, which, refusing, like them, to take the oath of supremacy, could not yet be excluded from the privileges which they were denied. He alluded to the Moravians, who acknowledged the authority of a foreign bishop, and who therefore presented a case in point. The venerable priest sitting at Rome did not claim a more absolute dominion over the faith of his adherents, than the Moravian bishop did over those who followed his system; yet we never thought of inquiring into the tenets of this sect for the purpose of refusing them political privileges. The progress of knowledge had been of late attended with its inseparable associate, liberality of sentiment; it had softened religious intolerance, and introduced Christian candour instead of sectarian bigotry. Its influence on the question now before the House was evident—it had removed the antiquated prejudices of rulers and people. He professed himself no advocate of indiscriminate innovation or precipitate change; but he professed himself equally hostile to that obdurate obstinacy that opposed itself to any alteration of the law, however salutary, or any accommodation of our system to times and circumstances, however necessary. In this changeable scene of human life, we could not with safety remain stationary, and ought to learn liberality from the age in which we lived. It was the duty of the House to let England cease from this day forward to be the only country in Europe where intolerance was established by law, where religious opinions excluded from civil office, where men were obliged to surrender their rights for the sake of their conscience, and where an appeal was made against equal privileges to statutes which had been occasioned by infernal inventions and plots of the demons of wickedness in a superstitious age. Since that time, the Catholics had given up the abominable doctrines of which they were accused, and on which the laws against them were founded. Would any man in his senses now assert, that they maintained the principles which at first occasioned their exclusion from office; and if they did not, why continue the statutes that perpetuated that exclusion?

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The Bishop of *Peterborough* said:—My lords; if the present question were a question of religious liberty, it should have my cordial support. But the petitioners who are the objects of the present motion, enjoy already the same freedom of religious worship, the same freedom in the propagation of religious opinions, which is enjoyed by the members of the establishment themselves. We cannot have a more convincing proof than in the lectures which are given and published by the college of Maynooth.—It is the removal of civil disabilities, it is an extension of civil power, which is now in contemplation, as appears from the general tenor of the petitions which have been laid on your lordships' table. But if the religion of the petitioners is deemed an obstacle to their acquisition of this civil power, are they not made to suffer on account of their religion? And if men are made to suffer merely on account of their religion, is it not an act of intolerance unworthy of the present age?—My lords, I should be very sorry to plead the cause of intolerance, which I think highly reprehensible, from whatever quarter it proceeds. But there is really no intolerance in opposing the claims which are now advanced. It is not merely on account of any difference in abstract opinions between the petitioners and ourselves, that we think their religion a ground of exclusion; but because opinions, abstract in themselves, are coupled with other opinions, which are not so; with opinions which affect men's political conduct. Let it be granted that men may believe in the doctrine of transubstantiation, and yet bear true allegiance to his majesty king George, as well as they who reject such doctrine as superstitious. But, if they, who believe in the doctrine of transubstantiation believe also that a foreign potentate hath, or ought to have, authority in this realm, then, I say, my lords, it is impossible that such men should bear the same allegiance to his majesty king George as they whose whole allegiance, whose allegiance, ecclesiastical as well as civil, is centered in king George alone. Now, my lords, I think no one will deny, that where allegiance to the sovereign of a country is unequal, the qualifications for admission to the government of that country must be likewise unequal. And if this reasoning be just, it follows, of necessity, that the members of the church of Rome ought not to be admitted to an equal participation in the government of this country with the members of the established church. Nor can this conclusion be weakened by the distinction which is made between allegiance to the king in things temporal, and allegiance to the pope in things spiritual. Be allegiance what it will, if that allegiance is divided between the king of the country and a foreigner, the king of the country has not the share which he ought to have, and which in this country he really has from the members of the establishment.—And, after all, the distinction is only in theory; for where religion and politics are so blended as in this country, it is impossible to preserve the distinction in practice. Having considered the question in reference to the state, I will now consider it, with the permission of your lordships, in reference to the church. For though the boon which is asked at present is a grant only of civil power, yet if the acquisition of this power shall lead to consequences injurious to the established church your lordships will surely contemplate those consequences before you resolve to grant the power which is now desired. I ask, then, whether your lordships can be sure, that when the adherents to the church of Rome are placed on a footing of equality with your lordships in the civil administration of this country, I ask whether your lordships can be sure that this equality in civil power will be the ultimatum of their desires? Does not every new acquisition become the means of acquiring more? And is it consistent with human nature to suppose, that the desire to obtain should not grow with the ability to obtain? If the petitioners then succeed in their present attempts, must not the acquisition of civil power at length terminate with an increase of ecclesiastical power? The court of Rome is no less anxious to extend its influence than it was at any former period. The order of jesuits, restored by the present pope, was not restored in vain. The extension of papal authority was the original purpose for which this order was founded; and for no other purpose can this order have been restored. Nor are the Romish clergy in general deficient in ardour to second the views of their sovereign pontiff. Indeed they are led to do so, not only by inclination, but by the obligation of a solemn oath. By a decree of the council of Trent, and a bull of pope Pius 4th, no clergyman of that church can be admitted to a benefice till he has taken an oath, which contains the following words:—"Sanctam Catholicam et Apostolicam Romanam Ecclesiam omnium Ecclesiarum matrem et magistram agnosco." They declare therefore upon oath, that the church of Rome is the mistress of all churches, consequently the mistress of the church of England. With such principles, must they not endeavour to obtain for the mistress what is now enjoyed by the servant? And is it wise, my lords, on our parts, to supply them with the means of so doing? There is indeed one portion of the united church, in which the struggle for pre-eminence must be of short duration, when the members of the church of Rome have once acquired the same political power with the members of the now established church. And what security can there be for a Protestant king, with a Papal establishment? The consequences of such a victory on the part of the Romish church, consequences which would shake the state itself to its foundation, are, indeed, too painful for description. And I trust, my lords, that it is unnecessary to make the attempt, as I am persuaded that your division on this night will entirely prevent the apprehension of them.

The Earl of *Rosebery* said, that he did not rise in the vain expectation of being able to add any thing to the irresistible arguments which had so often and so ably been made use of in support of this question: but in consequence of the anxious wish of his mind to embrace the first opportunity which had ever presented itself to him, to declare publicly in parliament his entire and cordial acquiescence in the principles and object of the motion of the noble earl. He was one of those who were of opinion that this question was not of more importance to those who, from their religious tenets, were more particularly and personally implicated in it, than to the kingdom at large: since in it was involved the one, whether the whole military and civil strength of the country was, or was not to be placed in a situation in which it could be called into full activity: and whether Ireland, which might be well considered as one of the most important portions of the British empire, was to be ameliorated with the rapidity, and to the degree to which nature, and the British constitution, would advance her: or whether her progress in improvement was to be retarded, or rather arrested by religious disabilities and distinctions, which created disunion, stifled all honourable ambition among those affected by them, and could not, according to the best view he could give to this subject, be the means of strengthening any national establishment: unless it were meant to aver, what his attachment to the church establishments of this country forbad him to think, that they were founded in such weakness as to require to be propped by artificial and unnatural supports. But he believed that an abandonment of this cruel and illiberal policy would produce a very different result from what was feared—that the church, instead of being endangered, would be additionally secured; that she would draw within her bosom many who would always remain inimical to her under the present system: because that system, though persecution might be too strong a term to employ for it, occasioned similar, if not such detrimental effects; it had a direct tendency to keep alive the acrimonious hostility, if it did not augment the actual numbers of those who belonged to a different communion. Never did he think was there a moment so well fitted as the present for undertaking the accomplishment of this great work. If during the war, the policy of it was more apparent and pressing; if the argument then was, that the situation of the country imperiously demanded that parliament should take a step by which the two-fold object would be gained of converting from disaffection to loyalty those whom these religious distinctions rendered inimical to the government, and of drawing from the very sources of discontent the means of adding fresh strength to the military and naval force of the country; if these were truths to which he gave his fullest assent, then he would urge their lordships to do that now which would place the country, in the event of another war, in an attitude which she never could before present to Europe. Some time must always elapse before the benefit to be derived from such a measure could be fully reaped. We were now in a state of profound peace, a period most favourable for the development of all the advantages likely to grow out of this measure; and when unhappily we found ourselves again engaged in hostilities, the complete effect would be seen by the government, and the army being exclusively engaged in their attention against the foreign enemy: instead of being obliged to watch over a part of our own population, who are dissevered in their affections from their country by penal statutes which belonged to a particular occasion, and were only adapted to the peculiar circumstances which gave birth to them. These being changed, he had no hesitation in saying, that he would grant to the Catholics all that a liberal, an enlightened, and wise policy would be disposed to give: not so much considering what they demanded, as what it would be right, upon the basis of such principles, for parliament to bestow; and he thought that this boon might be so fenced by provisions, as not only to deprive it of all real danger, but to take away all apprehension from the most timid. He did not mean to enter farther into arguments which had, so frequently, and in a manner much more forcibly than he could employ them, been urged in favour of the motion. But, feeling as he did as to it, he could not refrain from throwing out the observations he had taken the liberty to make in favour of a question which he should never cease to think one of the most important that could be brought before their lordships' consideration—less pressing, indeed, as it related to ourselves in this season of peace, though not less necessary as an act of justice towards those who are to be relieved by the measure: but looking to a state of war, one of the greatest moment to the best interests, and to the solid strength of the kingdom.

Lord *De Dunstanville* said:—My lords; as I mean to vote against the question now under the consideration of the House, having indeed always voted against questions of a similar nature, I should not have troubled your lordships with a single word on the present occasion, if I did not think there was a material change of circumstances since I last addressed the House: such a change as to induce me to conceive, that it may be proper to grant farther concessions to the Catholics, though, for the reasons which I shall concisely give, I do not think these concessions can with prudence be made at present. Important events have happened, as I conceive, my lords, since I last addressed your lordships, all of which tend to facilitate (I hope, at no distant period), the grant to the Catholics of all which they can reasonably ask. At the period alluded to, the pope was a prisoner to the person who then governed France, and indeed controlled the whole continent of Europe: it was reasonable therefore to suppose, that the venerable pontiff must have been at that time unable to express his own free and unbiassed opinion; that circumstance furnished therefore in my mind a decisive reason for refusing to concur with the motion which was then made for farther concessions to the Catholics. The pontiff is now returned to his territorial possessions, and has the free and unbiassed use of all his spiritual functions: the gigantic power by whom he was enslaved is, thank God, deprived of all his possessions, and unable to disturb the peace of mankind. But this, my lords, is not the only change which has taken place. I can venture to assert, that there is not any reason to apprehend that the pope or court of Rome have any wish to encourage the Catholics to interfere with the established church of these kingdoms: I am well aware, my lords, that I may be told that it is not safe to trust to the apparent disposition of any individual, or to the views of those persons by whom it is likely he would be advised; that his successor or successors may hold very different sentiments from those which are professed by the present pontiff: but though I think, my lords, that those sentiments by which I believe him to be influenced are likely, for various reasons, to continue, I by no means depend entirely on them. There is another and a more substantial guarantee against any improper exertion of papal power. The pope has, by no means, that influence and authority over those of his communion which many in this country suppose he possesses; and of this, my lords, I wish to produce two recent instances. I think it is about five years since that Cardinal Quarantotti, at that time holding the entire delegated authority of the sovereign pontiff, addressed a letter to the vicar apostolic of the London district, approving the veto: what was the conduct of the Irish Catholics on that occasion? At first they pretended that the letter was forged, and, when they could no longer doubt of its authenticity, they treated it with scorn and contempt. The other circumstance to which I call the attention of your lordships happened when I was at Rome, about two years since: a Franciscan friar, of the name of Hayes, was then there as the acknowledged agent of the Irish Catholic board. This man thought proper to offer the most gross personal insult to the pope in his own palace; the insult was of such a nature that I will venture to say it would have been punished by any temporal prince possessed of absolute power with the utmost severity; and what, my lords, was the punishment of this man? He was only banished from the papal dominions, and even the decree of banishment did not take place till the friar had boasted in almost every coffee-house in Rome of the insults which he had offered to the venerable person who was the head of his church, and the temporal sovereign of the country. Slight though the punishment was, my lords, and wholly inadequate to the offence, a clamour was immediately raised amongst the Catholics of Ireland, and friar Hayes was represented by them as a persecuted and much injured man. I ask your lordships, then, what fear there can be of the authority of the pope, when we find that the Irish Catholics refuse to obey his orders upon a subject purely spiritual, when they are contrary to their own preconceived prejudices, and when they consider a person as persecuted who is banished from the papal dominions for offering the grossest insult to the head of their church in his own palace? My lords, I think that farther concessions to the Catholics may be safely made at no very distant period, for of the power of the pope, or of his wish to exert it, I have no fear. I have the fullest reliance too on the good faith of the Catholics in any oaths which they consent to take; and I do not believe that they entertain the most distant idea that any power upon earth can absolve them from oaths which they have taken voluntarily. The Catholics are men like ourselves, my lords; many of them are possessed of the purest principles of morality, endowed with enlightened minds cultivated by education: and can your lordships for a moment suppose that such men as I have described can doubt that an oath is binding, or that they can entertain the absurd and impious idea that they may be absolved by any one from such an oath? But, my lords, if we could suppose that the Catholics are so little scrupulous respecting oaths, how does it happen that they are so very reluctant to take those oaths which have been imposed on them by the legislature? If they believed in the dispensing power, they would take every oath which was required of them, and would laugh you to scorn for trusting in men possessed of such a lax morality: in short, my lords, if Catholics did entertain such opinions as are ascribed to them, you should not only refuse them farther indulgences, but you should drive them from society. I know, my lords, that it is said by some, that because Catholics believe in many absurdities they may also believe in the dispensing power; but I need not tell your lordships, that much which the established church think to be absurdities, the Catholics consider as high mysteries. Let us also recollect that the established church professes its belief in many mysteries in common with the Catholics, such as the incarnation and the Trinity, and that these mysteries are treated with as much ridicule by deists and other infidels, as it is possible for the most rigid Protestant to apply to those mysteries of the Catholic church which are peculiar to itself. It does not by any means follow, that because men believe in some things above or even contrary to reason, that they should regard lightly that bond which unites them to the society to which they belong.

Government, my lords, seem to entertain an opinion that farther concessions must be made, for about two years since they made a beginning; I need scarcely say that I allude to the bill brought into parliament in 1817, allowing officers to enter the army and navy without taking previous oaths; this bill appears to me, I confess, to be nearly the same as that which was proposed by the late ministers in 1807, and which occasioned their fall from power; I am willing to acknowledge, however, that a measure might be very desirable at one period which might be wholly improper at another. But be that as it may, the bills appear to me to be nearly the same, though the noble lord at the head of his majesty's government has endeavoured, I think unsuccessfully, to make a distinction between them: he says that the bill of 1817 only abrogates previous oaths, but leaves the test act as it was: but your lordships well know that a bill of indemnity has annually passed for more than fifty years, so that in fact the test act is virtually repealed; and he must be a bold man in my opinion, my lords, who should venture to oppose the annual indemnity bill. But let us suppose for a moment, that at some future time, the test act should be again in full force; should we not in that case have done an act of gross injustice to those gallant men, whom we had enticed into the service, by telling them they should not be called on to take previous oaths, if after they had spilt their blood in the service of their country—after they had borne the heat and fatigue of the day, and had passed the subordinate ranks, we should turn round on them and say, you must now take oaths contrary to your religious scruples, or else you must quit the service—at a time, perhaps, when they had reached the highest stations, and when it was too late for them to enter into any other profession.

We have, however, now, my lords, admitted Catholics into the army and navy, and, I hope, we shall never be deprived of their services; much, therefore, has been effected, but much more remains to be done. I confess, I can see no reasonable objection (when religious prejudices are somewhat abated) to the admission of the Catholics into the two Houses of parliament, into which we now admit without scruple all sects of Protestant Dissenters, Deists, and every description of infidels. What danger, my lords, is likely to arise from Catholics sitting in parliament?—Your lordships all know, that from the year 1558 (the commencement of the reign of queen Elizabeth, when the Reformation may be said to have been completely established) till the test act was passed, Catholics sat and voted in parliament. What danger arose therefrom? During that period, much of that bloody code, which all now unite in reprobating, became the law of the land, without any material objection on the part of the Catholics, notwithstanding those who professed the Catholic religion were then very numerous, and were even, perhaps, at the commencement of that period, the majority. Notwithstanding the famous or rather infamous bull of Pius 5th, in 1570, dethroning queen Elizabeth, and declaring her subjects absolved from their allegiance, the body of the Catholics remained eminently loyal: the bull of Pius 5th, my lords, was confirmed and enforced by another bull of Sextus 5th, at a most critical period, the sailing of the Spanish Armada, for the avowed purpose of conquering England; what was the conduct of the great body of the Catholics on that occasion?—They did not content themselves with passive loyalty only, but they distinguished themselves both in the army and navy, in defence of their country, with the same zeal and activity as their Protestant fellow subjects. It is difficult fully to appreciate their merit in the times we live in. At the period of the Reformation, many zealous Protestants really believed the pope to be antichrist; we must not be surprised, therefore, that the Catholics of those days, in that spirit of opposition natural to contending sects, should be inclined to look at the head of their church with something of reverential awe; yet, even with such feeling, they disowned the authority of the pope to absolve them from their allegiance; they resisted and conquered in common with their Protestant brethren that powerful armada, which approached our shores under a banner blessed and consecrated by the head of the Catholic church. During the period of which I have spoken, my lords, it will be found, that there were twenty or thirty Catholic peers in this House, and probably a considerable number of Catholic commoners in the other. Such was the conduct of the great body of the English Catholics during the reign of queen Elizabeth, a reign certainly not very favourable to persons of that persuasion. It is true, that some bigoted Catholics suffered during her reign, and justly suffered, for asserting the authority of the pope, and for rebellion against the queen; but, I still contend, that the great mass was loyal, notwithstanding the pains and penalties to which they were liable merely for professing the religion of their ancestors.

At the commencement of the reign of James the first, your lordships well know a horrid conspiracy, commonly called the gunpowder plot, was discovered. The conspirators were, it is true, Catholics, but were in number never more than eighty. Lord Monteagle, a peer of that persuasion, received a letter written in mysterious terms, informing him that God and man had concurred; and that the parliament should receive a terrible blow, without knowing who hurted them; the letter therefore advises lord Monteagle not to attend parliament. What then did the noble peer do, my lords, on receipt of this extraordinary letter? He did as any other loyal person would have done in similar circumstances; he laid it before lord Salisbury, the secretary of state, and was therefore probably the primary cause that this horrid plot did not take effect. If it had succeeded, I beg your lordships to recollect, that at least twenty if not thirty Catholic peers, and many commoners, must most probably have perished: for it does not appear that intimation was given to any of them of this horrible conspiracy, except to lord Monteagle.

It is possible, my lords, that the Protestant dissenters of the present day have no designs against the established church, though we all know, that very indiscreet expressions of hostility against the establishment have been made by eminent men amongst them, at no distant period. But whatever their present intentions may be, we know from history, that the protestant dissenters, when they had power, actually effected the destruction of the church; and yet we admit the dissenters into parliament, and we refuse that privilege to Catholics, whom we only suspect to have the wish to do that which the Protestant dissenters once effected. But though I think, my lords, that the time must soon arrive, when it will be proper to grant farther concessions to the Catholics, I do not think the time is yet come; there is too much asperity, and I may add, too much bigotry on both sides; I believe, that a great majority of the English, and even of the Irish Protestants are now hostile to farther concessions; and I do not think that the Catholics are disposed to receive with pleasure and gratitude such indulgences as might be consistent with the safety of the established church. A measure, therefore, cannot in my opinion be desirable which must give dissatisfaction and disgust to both parties.

I am at a loss to conceive, my lords, why the Catholics of England and Ireland should object to give a negative on the appointment of bishops, to the illustrious person who has the executive government of the united kingdom, when the same privilege is cheerfully granted to every other non-Catholic sovereign in Europe. The fact, however, is so; and I was myself told at Rome, two years since, by the agent to whom I have before alluded, that the Irish Catholics would choose to remain in their present situations, in preference to receiving concessions clogged with any conditions whatever. As an additional proof that the Catholics are not now disposed to receive with gratitude what this House and the country might be inclined to give, I venture to state to your lordships the opinion of Dr. Milner of the bill of 1813. I take this opinion from the orthodox journal of March last, in which the doctor speaks of that measure in the most opprobrious terms; he calls it "that most infamous bill, the like of which was never devised by Cecil, or Shaftsbury, or Robespierre himself; and which men calling themselves whigs and patriots (*non meus hic sermo*), and friends to the Catholics, hurried through the House for fear of its being sifted." He goes on to say, "this bill was contrived with a heart and malice, which none but the *spirits of wickedness in high places*, mentioned by St. Paul, could have suggested." He adds, "a feed and corrupt prelacy was first to be established; through them the priesthood was to be overawed and bribed; a thousand pounds being provided in each island for this purpose." I need not trouble your lordships with much observation on this intemperate production: I must state, however, that the doctor seems to have a very bad opinion of the virtue and integrity of the Catholic priesthood, when he supposes, that one thousand pounds distributed in each island might induce them to forget their duty to themselves and to their flocks; such an opinion is as absurd in itself, as it is calumnious to those who are the subjects of his libel. I am well aware, my lords, that it may be said, that Dr. Milner is an individual, and that the Catholics as a body are not answerable for what he says. That is certainly true; but Dr. Milner is not an ordinary man; he is known to have considerable influence over a large number of Catholics: he exercises episcopal functions in fifteen English counties; and he professes to be the agent of the whole Irish Catholic hierarchy.

Under these circumstances, my lords, I do not think we can be expected to grant farther indulgences to all the Catholics at present; but I think that we are imperiously called on to grant to the English Catholics all which the Irish of that persuasion received some time since. A more peaceable, a more loyal, or a more enlightened body of men does not exist; and it seems to me the height of cruelty to refuse those favours to that well-disposed class of our fellow subjects, which we have given, I fear, in some degree, to the clamour of those more perturbed spirits of the same persuasion in the sister island. Before I conclude, I must say, my lords, that I am well aware that I may be accused of a change of opinion on the great question now under consideration; but I think that the change of circumstances subsequent to the period when I last addressed your lordships (nine years since), fully justifies the opinion I now maintain. I never shall, my lords, be ashamed of a change founded on conviction, nor shall I be afraid to avow it, either in this place, or before the whole world.

The *Lord Chancellor* thought that in the present question, the real point at issue was, not what would satisfy the Catholic alone, but what would or ought to satisfy the Protestant.—The noble earl who made this motion had not come forward with any specific proposition. If the noble earl would tell them what plan he intended to propose in the committee, and what defences he intended to erect for the security of the constitution, in the place of those which he was endeavouring to throw down, he for one should have no objection to grant the noble lord the committee which he required. Surely the noble earl ought, in the first instance, to say what course he meant to take in the committee. Perhaps in making this particular call for the measures which the noble earl contemplated, he exposed himself to the imputation of the cavilling precision of a lawyer. But, speaking with the prejudice of an English lawyer, loving the constitution upon principles of law, and yet at the same time being as warm a friend to toleration as any man in the House, he would ask, what security by oath could the Catholics give, which could reconcile the king's supremacy in things temporal, with the pope's supremacy in things ecclesiastical? He thought that they could give none; and, entertaining such sentiments, he felt it his duty to call upon their lordships to consider, what plan there was that parliament could adopt consistently with the safety of the constitution, out of all the plans which had been proposed to their notice since the commencement of these discussions. To him it appeared that none of them were practicable; because, if we were to believe the recorded history of the country, from the years 1660 to 1688, it would be seen how systematically the Roman Catholics pursued the accomplishment of their own objects, and the destruction of the national church, through every obstacle and every difficulty. There might be some individuals who supposed that the tenets which the Catholics held at that time were not the tenets which they hold at present, and who, under that supposition, deemed the continuance of the disqualifications imposed upon them as one of the most scandalous impositions that ever was inflicted on man; but with those individuals he could by no means agree, inasmuch as there was no proof, either direct or indirect, of any change having occurred in the religious principles of the Roman Catholics. If the House looked to the sentiments which were avowed and expressed by the Catholic church during the whole reign of Charles 2nd; if it looked to the hostile spirit in which it assailed the national church for some years previous to the Revolution of 1688, it would see the necessity of the present disqualifications, and how strongly that necessity was impressed on the mind of the whole nation. At the latter of the two periods to which he alluded, a solemn compact was made between the king and people to support the Protestant ascendency—a compact which at the same time that it acknowledged that no man could be prosecuted on account of his religious opinions, did not secure him from pains and penalties when his religious opinions had an effect upon his political conduct. It was then resolved that this country should have a Protestant king, a Protestant parliament, and a Protestant government. Such was the great principle parliament ought always to have in view, holding in due reverence that right of all men derived to them from God, that they should not be persecuted for religious opinions. When religious opinions were attended with political effects injurious to the society to which their professors belonged, that society had a right to exclude them from offices of trust and emolument. Under a conviction of the absolute necessity of securing a Protestant establishment to these kingdoms in order to render them free and happy, their lordships ancestors had enacted that no king who was either himself a Catholic, or was married to a Catholic princess, should ever sit upon the British throne. The other disqualifying laws served only as a part of the mechanism, if he might be allowed to use such an expression, of which the constitution was composed: it was thought advisable to prevent Roman Catholic advisers from surrounding the person of the king, lest they should taint his mind with their pernicious counsels; it was thought advisable to deny them seats in parliament, and places in the privy council, lest they should sow dissension in the great assemblies of the nation; and in order to provide for the fair and impartial administration of justice, it was thought advisable that the laws should not be administered by Roman Catholic chancellors and judges. Those regulations were, in his opinion, rendered absolutely necessary by the temper which the Roman Catholics had constantly evinced. Others, however, entertained a different opinion, and contended, that as Roman Catholics had sat in parliament in the 32nd year of Charles 2nd, there existed no rational objection to their sitting there at present. This was not a fair way of putting the question: the question was, whether the House, considering the events which had preceded the Revolution, and those which occurred in effecting it; considering the principles which had been asserted on the union with Scotland, and which had been re-asserted on the union with Ireland; the question, he repeated it, was, whether the House would stand by that constitution, which had secured the most ample personal liberty to every individual who lived under it, or whether they would recur to that constitution under which their ancestors had lived previous to those disqualifications being enacted. Their lordships lived in times in which nothing surprised him. He should not be surprised if a north-west passage were discovered to-morrow. He should not be surprised if the discovery of the longitude, that desideratum through so many ages, should immediately follow the former discovery; but if any thing could surprise him, he should be surprised at hearing that any man could sit in either House of parliament without taking the oaths which by law were required. Such a proposition had, however been seriously maintained; but if any of their lordships should find among the votes of that evening the vote of any person received, who had not taken the necessary oaths, they ought to impeach him to-morrow for a dereliction of duty to themselves, and to the country. Treating this subject as a lawyer, he was aware that a noble lord had said, that lawyers were disqualified from being good politicians, and that politicians were often more accomplished lawyers than lawyers accomplished politicians. Be this as it might, he would still continue to lay down to politicians what he conscientiously believed to be the law of the land—which was, that every man in the state owed allegiance to the king, as the acknowledged head of the state—to speak in the old language of the law, that both "the spirituality and the laity" owed him obedience. The language of the old statutes was in a similar tone; for "the spirituality" was there subject to nobody, under God, but his majesty. Several writers upon law had maintained that when the Roman Catholic religion was the religion of the country, the country had contained men, whose valour had been the admiration of the world, whose talents had rendered us glorious in the eyes of other nations, and whose virtues would have made them an ornament to the proudest era of either Greek or Roman story: he should be the last man in the world to contradict the truth of this statement; but he could not help asking, whether these illustrious characters, with all their prowess, virtues, and talent, did or could rescue their countrymen from the slavery in which Catholicism had immersed them. The only answer which could be given to this question was, that they did not—that they could not. Lord Hale had said, that as the oath of allegiance, the act of homage, and the oath of fealty, which were all then in existence, were not sufficient to remind men of their duty to their sovereign, which they forgot in their obedience to a religion which established another superior to him, it was found requisite by exacting that paramount oath, the oath of supremacy—to give? no; but to bring back and restore to the crown that power which had always belonged to it, by calling upon every subject to disclaim all obedience to the power of the pope. It was said that this advantage was derived from the policy of Henry 8th; he denied the truth of such a position, and maintained that it was owing to the old common law of the country, which in its technical phrase, asserted the king's supremacy *in temporalibus ac spiritualibus*. Lord Coke, in his treatise upon the laws of Edward 3rd recited a statute in which the bishop of Norwich was enjoined (and though he was specifically named, the statute was intended for all other bishops to keep in remembrance his duty, that all his authority was derived from the common law or customs of the land, or the statutes, and that he must not forget his obedience to the crown. That was the old principle of the law, and he should feel ashamed of himself if he could for one moment entertain a doubt upon its validity. God forbid that he should trench upon the right which in this free country every man had, to worship his God in his own way! but there was a wide difference between the spirit of toleration, and conferring a civil right which went to render all the laws of their ancestors nugatory. Locke whose work upon this subject was and ought always to be looked up to, exempted the Roman Catholics from his system of toleration, though, in so doing he imputed opinions to them which, it had been said, were so absurd that no man in his senses ever could be found to profess them. For his own part, he maintained that all men who did not profess sentiments hostile to the Protestant establishment ought to enjoy the utmost latitude of toleration which is consistent with the safety of the state; he therefore perfectly concurred with the distinguished writer who had said, that so long as the Roman Catholics deny the supremacy of the king so long ought the country to refuse them emancipation. A similar opinion had been expressed by lord Hardwicke. Lord Hardwicke clearly laid down the law, that this was a Protestant constitution, and that it was protected and guarded as such by the laws of the land. Though it might appear unfit that he should enter into any religious discussions in the assembly which he was then addressing, he could not, after due reflection, consider it to be out of place to state to them very fully every ground on which the opinions he was then advocating were founded. He should therefore wish to impress upon the minds of their lordships, that it was an instructive lesson, to preserve, not only the name, but the substance of the Protestant religion. Indifference to religion generally led to great temporal evils, and, if for no other reason, at least for this, ought the Protestant religion to be supported, that it would be always a barrier against oppression, and a nursing mother to liberty and freedom. Ecclesiastical usurpation generally terminated in civil tyranny [Loud cries of hear, hear!]. He said hear too, for he wished their lordships to hear what he then said, as he should not long be able to address either that or any other assembly.—He repeated, that any admission of supremacy not within the realm, but out of the realm, was ecclesiastical usurpation, and precisely that against which it was the object of the law to provide. It was that species of tyranny as well as usurpation which must terminate fatally for the liberties of the people. Such was the opinion of Locke, such of Paley. It had been said that by the act of union with Scotland, a church had been recognized and established which did not acknowledge the king as its head: he wished to know how this argument applied to the case before them: the church of Scotland, it was true, did not acknowledge the king as its superior, but then, it did not, as the Catholics did, acknowledge another potentate, and that potentate a foreigner, its superior in its stead. Supposing, however, that their lordships had on the union with Ireland planted the Roman Catholic religion there as the dominant religion, they would only have to consider for a moment to be sensible how inconsistent such a proceeding would have been with the interests of this Protestant country, and the policy on which it had usually acted. The moment they had so planted it, what would have become of their allegiance, what of the securities which their ancestors had interwoven around the pillars of their church, and what of their own solemn pledges to support the supremacy of that church? When the concessions on the propriety or impropriety of which they were then debating, were first thought of, no man ever dreamt of granting them without the consent of the Protestant part of the community, and without consulting what was due to their peace and happiness, and tranquillity. All that was great and illustrious in the country, all the venerable names on both sides of the House, had been engaged in devising securities for the Catholics, to give not to injure the establishment; and yet was there any one of these securities that was at all satisfactory? Did he look at the Veto—he found it unsatisfactory. Did he look at the scheme of domestic nomination—that was as unsatisfactory as the former. They had the authority of Dr. Milner and of others, that such arrangements were unsatisfactory and incomplete; so that for prospective arrangements not satisfactory to the community in whose behalf they were made, the whole state of the constitution must be altered, a new system of laws formed, not to satisfy one part of the community, but to alienate another.—Looking therefore, at the Veto, the system of domestic nomination, and the other plans which had been proposed to parliament, considering how unsatisfactory they all were to all parties, recollecting that it was his duty as a privy counsellor and a Protestant to express his sentiments humbly and sincerely to his sovereign (to whom, however, he owed no allegiance, if he was not a Protestant), he could not help reminding their lordships, that they would do well to sooth and not to disturb the feelings which had been already excited during the course of these discussions. He must again and again press upon their attention the insufficiency of all the securities which had been offered, it was requisite to consider it, because, as the old legal maxim said, which was no less a maxim of common life than it was of law: "What you have obtained with difficulty, you cannot retain without difficulty." The privileges which the country had won by the revolution of 1688, were not gained with ease, were not the result of a slight struggle, but were long and arduously contested. Now that they were acquired, and that the value of the acquisition was perfectly recognised, it behoved their lordships carefully to abstain from any step which could bring them into the slightest danger. He by no means forgot the divine precept alluded to by the right reverend prelate, "to do to others what we would they should do unto us;" but our constitution fulfilled that precept, in holding out its advantages to all who would acknowledge the supremacy of its institutions. The constitution, which ensured privileges to us all, when it acknowledged the right of every man who acknowledged it to places of trust, power, and emolument, did not acknowledge the right of any man to them, who did not acknowledge its full authority. Before he quitted this part of the subject, he should wish their lordships to consider again the nature of the constitution: there were indeed some, who thought that a better might be devised, but it was needless for him to say that he was not of their number. It was his firm persuasion, founded on every document and record respecting the constitution which had ever come under his notice—on every act of parliament respecting the constitution—on all communications between the two Houses of parliament and the sovereign respecting the constitution, that the laws which it was now sought to repeal, had always been looked upon as the best security, not only for the civil and religious liberties of the church of England, but for the civil and religious liberties of every man dissenting from that church—that the civil and religious liberties of the one were best maintained by the establishment, and the civil and religious liberties of the other by a toleration as free as the safety of the state would allow. If he were a supporter of the Catholic claims, he should be sorry to use any argument in favour of them which was derived from the numbers of those who urged them. If their numbers were great, that was no argument to concede them if they were unfounded; if their numbers were small, no argument to refuse them if they were just. But, although he entertained the greatest respect for many members of the Roman Catholic religion, he must say that it was impossible for him to know what might be the wishes or determination of the great mass of individuals of that persuasion, and that while they continued to withhold all disavowal of the tenets which they professed at the Revolution, and which were the grounds of the precautions that he had described, he could not consent even to enter into any consideration of the subject. He had looked upon this subject with all the anxiety which it demanded; and in his investigations had found that though certain canons, as adverse to the spirit of religion as they were to the temper of the times, had been renounced by individuals, they had not been renounced by the church of Rome. Our ancestors had always connected together the idea of popery and slavery, and he could not look upon them without viewing them in a similar light. He declared to their lordships, that he never would have persevered in the line of conduct which he had uniformly pursued in this subject, had he not been conscientiously convinced that he should betray his duty to his sovereign, who by law ought to be a Protestant, to the people who were Protestants, to the two Houses of Parliament who by law ought to be Protestants, were he not decidedly to oppose such motions as that made by the noble earl, unless the Catholics were, in the first instance, to declare and to prove that they had renounced those doctrines which rendered their admission to a full participation of the rights of their fellow subjects, dangerous to the tranquillity of the state. When they would renounce those principles, he should be for conceding every possible boon to them, but now he most conscientiously opposed every concession. He saw nothing to induce him to believe that the Roman Catholics were changed, and therefore never could give way to their pretensions or claims.

Earl *Grey*, adverting to the remarks made by the noble and learned lord who had just spoken, on the mean opinion which he supposed some noble lords entertained of lawyers as politicians, while on the other hand they fancied themselves great lawyers, begged leave to disclaim having, for one, ever held such unqualified and unjust sentiments towards a learned and liberal and enlightened profession. He certainly had known lawyers, and he had seen some appearance of one of that description that night, who had had their views of the constitution so narrowed by their technical habits, that they came very disadvantageously to such a discussion as the one in which their lordships were then engaged. But this was far from being generally the case. On the contrary, it was impossible for him, in speaking on this topic, not to call to mind the character of a distinguished member of that profession, whose loss had been recently experienced by the country; a man of the best and most amiable qualities, whose knowledge of the constitution and of the law could be exceeded only by his enthusiastic love of liberty, and his persevering and unbounded benevolence; a man who, with some others of his profession, invariably applied his knowledge in the support of civil and religious liberty. He disclaimed, therefore, treating the profession of the law with derision. He knew that he was not competent to contend questions of law with those who had devoted their whole lives to the study of them: and least of all, was he competent to contend on such subjects with the noble and learned lord on the woolsack, whose high qualifications, and whose authority as a lawyer, he was most ready to acknowledge. But, at the same time, it was his duty, in his humble sphere, in cases in which points of law mingled with other considerations, to discuss them with such lights as he possessed, although subject to the criticism of the noble and learned lord. It was, therefore, that, with all due deference to the noble and learned lord's authority, he felt it incumbent on him to contest some of the points which the noble and learned lord had endeavoured to establish in support of his opinions. On the present occasion, as on many other occasions, when this great and important subject had been agitated, the noble and learned lord had used an argument, which, if it were once admitted, put an end to the whole question. The noble and learned lord had told their lordships, that the principle of the constitution was, that it was essentially and fundamentally Protestant, and that therefore every proposition which encroached on that principle; and consequently the proposition before the House, was not only inexpedient, but inadmissible. If this were true, there was an end to the question. But he humbly contended, and he would endeavour to prove, that that was not the construction which ought to be put on what the noble lord was pleased to term the Protestant establishment. It might be a question of great nicety to determine, which were, and which were not, the essential and fundamental laws of the constitution; which were capable, and which were incapable of alteration. Into that discussion he would not then enter. But unquestionably it was fitting, when an alteration of the law was proposed, to see what tendency it might have with reference to the system of government under which we lived; to see how far it militated against the principles of our established institutions; and to oppose it in the first instance, if its character appeared to be obviously such as to affect the securities by which those institutions were surrounded. That such was the principle on which the noble and learned lord founded his arguments against his noble friend's motion, he was willing to admit; and on that principle he was ready to combat him. He (earl Grey) granted, that the constitution, as established at the Revolution, was essentially and fundamentally Protestant. He granted it—no man more willingly, no man felt more reverence and attachment for the religion which he professed, and no man would go farther than himself in making sacrifices for its support. But what was the meaning of the expression, that the constitution established at the Revolution was essentially and fundamentally Protestant? If he understood it, he took the meaning to be (and such was the definition of the noble and learned lord himself) that at the Revolution, in order to secure the liberties of the people from a repetition of the attempts made upon them by a prince of the Catholic religion, it was provided that the monarch on the throne, and the members of the House of Lords and Commons, should be of the church of England, which church of England was established by law. This he understood to be the definition of the term in question;—at least he could find no other in the great charters of the constitution, the Bill of Rights, and the Act of Settlement. Admitting that, it would become necessary to distinguish between the securities which were fundamental and essential, and those which were collateral and subordinate. Of the latter class seemed to him to be those securities which the noble and learned lord appeared to be apprehensive the motion of his noble friend would, if agreed to, have the effect of giving up. If, however, it could be shown that they were securities established, not at the Revolution, but at periods previous and subsequent to that event; if none of them were found engrafted in those acts which formed the charter of our constitution; if it could be proved that they arose from particular circumstances and the exigencies of particular times, and were no longer necessary for the support of that constitution which all allowed to be fundamentally and essentially Protestant; then the whole of the noble and learned lord's argument would fall to the ground; and it would be evident that these collateral and subsidiary securities, being no longer requisite, might be separated from the fundamental and essential securities without the least injury or danger to the constitution. The noble and learned lord said, that the constitution was fundamentally and essentially Protestant. So said, he (earl Grey), and he said also, that the constitution was fundamentally and essentially a free constitution. The one was as clear and indisputable as the other. In order to secure that freedom, our ancestors, at the Revolution, took the securities which they found already existing, and interwove them with others, in the Bill of Rights and Act of Settlement. And yet the noble and learned lord would certainly be one of the last men in that House to contend that those securities were so fundamentally and essentially connected with our freedom as to be inseparable from it, and to be insusceptible of alteration. What had been the practice in that respect? The principle of the Revolution being, that the government of the country was not only Protestant but free, nothing seemed so essential to the security of that freedom as the preservation of purity in parliament. It was therefore enacted, that no person holding an office under the Crown should have a seat in either House.—Need he tell their lordships, that in a few years afterwards that provision was repealed? It had also been enacted, in order the better to insure the responsibility of government, that, in all matters treated of in the privy council, the orders issued in consequence should be signed by those members of the privy council who consented to them. That provision was repealed by the 4th of Anne. In like manner it was stated in the Declaration of Rights, and the Bill of Rights, that parliaments should be frequently held; and in a few years after the Revolution it was enacted, that the House of Commons should be triennially elected. Need he tell their lordships, that by the 1st of George the 1st that act was repealed (although one of those which, on the principle of the noble and learned lord, must be considered as a fundamental and essential security for liberty), on grounds which many at the time thought doubtful? He was of opinion, that at the time when the repeal took place, it was justified by necessity, although that necessity no longer operated for its continuance. All the securities for the freedom of the constitution, which he had mentioned, were enacted by our ancestors at the time of the Revolution, and yet they had all been fearlessly repealed. The right of petitioning was another right, firmly insisted on by our ancestors at the Revolution. But would the noble and learned lord say, that that sacred right might not be, and in fact, had not been, at different times, the subject of modification? The noble and learned lord himself had not forborne to lay his unhallowed hands on several of those safeguards which our ancestors had thought necessary for the security of the liberty of the people; and yet, forsooth, when a claim was set up for justice and equal rights on the part of a large and valuable class of his majesty's subjects, the advocates for that claim were to be "estopped" (to use a legal phrase), on the ground that the subject had been decided, and set at rest for ever by our ancestors! The noble and learned lord's argument was wholly vain and nugatory, unless he could establish as a principle, that the laws which secured the liberties and privileges of the people might be tampered with and repealed at pleasure, but that whenever an extension of those liberties and privileges was proposed, the laws, the repeal of which was necessary for that extension, must be considered so sacred as to be absolutely intangible. What he asked was, —on what principle the securities in question were supposed to be necessary? The noble and learned lord had quoted lord Hardwicke, whose authority no man more highly respected than himself. He had not distinctly heard the passage quoted by the noble and learned lord, but as far as he could understand it, it seemed merely to imply, that it was our duty to maintain the Protestant establishment, by all the securities that were necessary for that purpose. Neither lord Hardwicke's nor the noble and learned lord's authority was necessary for the maintenance of that proposition. He (earl Grey) would maintain it as conscientiously, and would go as far in its assertion as any man. The question was, whether the securities under discussion were necessary.—Were they so interwoven with the establishment, that they could not be disjoined from it without danger? That was the simple question—aye or no. He would endeavour to state the case fairly. The Protestant establishment was fixed on its present basis at the Revolution. But as he had already stated, those minor securities, those laws of disqualification and exclusion, to which the noble and learned lord thought the Catholics ought still to be subject, were not to be found in the Bill of Rights, or in the Act of Settlement, but were all enacted either anteriorly or posteriorly to the Revolution. The first of the acts to which the noble and learned lord had referred, and by which the Catholics and other dissenters from the Protestant church were affected, was, the Corporation act, passed in the first year after the Restoration. The object of that act was not the exclusion of the Catholics, who, at that period, had seats in parliament, and were favoured by the king on the throne; but the exclusion of a different description of persons, who had been supporters of Cromwell, and who had contributed to overturn the constitution. The next of those laws was the Test act, passed in the 25th of Charles 2nd. Undoubtedly that act was directed against the Catholics, but chiefly against the duke of York, the presumptive heir to the Crown, and known to be of the Catholic religion. In the support of the measure against that particular and temporary danger, even Protestant dissenters concurred to their own immediate disadvantage. Then came the 30th of Charles 2nd, which was the act by which Catholics were excluded from seats in either House of parliament. The noble and learned lord had declared, that he should not be more surprised to hear of the discovery of a north-west passage or of the longitude, than he was to hear certain doctrines which had been advanced in that House. But it was with the most unaffected surprise, that he (earl Grey) had heard the noble and learned lord, a profound lawyer, deeply read in the history of his own country, assert that the act of the 30th of Charles 2nd was the result of the deliberate wisdom and prospective caution of our ancestors, exercised for the purpose of guarding the Protestant constitution from the dangers by which it was menaced. Need he trouble their lordships—was it necessary for him to remind them of the history of the act of the 30th of Charles 2nd? It was notorious that that act had its origin, and was justified, pressed and carried, in consequence of the apprehensions excited by the plots of Oates and Bedloe; in the existence of which no man at the present day believed. Under great public agitation, excited by the invention of those plots, that act which the noble and learned lord described as emanating from the deliberate wisdom and prospective caution of parliament; and as being one of the fundamental and essential securities of the Protestant constitution was passed, for the purpose of excluding one class of his majesty's subjects from the rights and privileges which they had until that period enjoyed. Such were the laws passed previous to the Revolution—all of them, as he trusted he had sufficiently shown, founded on particular circumstances which no longer existed; and the last of them, prompted by the unfounded apprehension arising from a forged plot, contrived for the diabolical purpose of operating on the fears of the nation to the prejudice of one class of the community. It was true that our ancestors in the settlement of their liberties, after the expulsion of James, retained those laws, and that they afterwards added others of a more severe nature. After the Revolution, a law was passed, he believed in the 7th or 8th of William, depriving the Catholics of the right of voting at the election of members of the House of Commons. In the first of George the 1st, another act was passed disqualifying Catholics from holding offices and places of trust, civil or military. But let their lordships look at the causes which induced our ancestors at the Revolution to continue the acts of severity then in force against the Catholics, and afterwards to add others of a still harsher character. The causes were evidently these:—The king, who had been recently expelled, was a prince professing the Catholic religion. His attachment to his religion had occasioned that invasion of the rights of the people, which had ended in his expulsion. He had taken refuge with, and received the assistance of the greatest Catholic sovereign in Europe. He was supported by a number of partizans in this country, of whom, although many were not Catholics, yet the larger proportion were so. Our ancestors, wisely deviating as little as possible from the principle of hereditary succession, had established the succession in the line of the exiled monarch's daughters, the last of whom, during the period of her declining health, was suspected of cherishing a desire to restore her father. Added to that, was the belief entertained by the great men by whom the Revolution was effected, of the deceitful character of the Catholic religion, and of the abhorrent nature of these tenets, which in the present day the Catholics universally disclaimed. In all those circumstances and considerations, their lordships would see the cause of laws so contrary to the spirit which produced the Revolution. It was to charge the Revolution unjustly—to paint it in black and odious colours, to tell their lordships that exclusion was a part of the principle on which that proceeding was founded, instead of putting the exclusion on the true ground—its applicability to circumstances and necessities. He would ask their lordships, if one particle of the danger, which was the foundation of the laws that he had enumerated, now existed? There was no longer a Pretender to the throne. The family of that unhappy monarch, who paid so dearly, yet so justly, for the invasion of the rights of the people, was extinct. The laws, therefore, passed for the security of the Protestant succession were no longer requisite. If every one of them was repealed, he would ask the noble and learned lord himself, whether he thought that would a single jot endanger the succession of the next heir to the throne? The necessity for those laws no longer existing, the policy which induced our ancestors to pass them, when they were necessary, could no longer be urged for their continuance; but the policy which induced our ancestors to declare that the English was a free constitution, required that freedom should be extended to the Catholics, now that no cause remained for withholding it. The history of some of the laws which had been passed against the Catholics, afforded the strongest evidence that they were not the result of the sound and deliberate wisdom described by the noble and learned lord.—He would not enumerate them; but he would just mention the circumstances in which one of the most severe description, passed in 1669, but since happily repealed, originated. That law prevented Catholics from taking property either by devise or purchase. It imposed severe penalties on the Catholics for several offences which it created, and even on the Catholic priesthood for celebrating mass. What did bishop Burnet say of the manner in which that law was passed? "Those," he observed, "who brought the bill into the House of Commons, hoped the court would oppose it; the court, however, depending on the hostility of the Lords, acceded to it.—When the projectors of the measure saw their mistake, they wished to stifle it, and they loaded it with unreasonable clauses, in the hope that the Lords would not agree to it. The bill, however, passed the Lords, without amendment, their lordships being piqued at the conduct of the Commons." So it was with the Test act; of which Mr. Burke, in his Address to his Constituents, said, "that it was loaded with a double injustice, for that both parties, like jugglers with their cups and balls, had made sport in it of the fortunes, lives, and liberties of their fellow-subjects." He mentioned those things to undeceive their lordships with respect to the character of deliberate political wisdom ascribed by the noble and learned lord to those measures. He now came to consider the character of what took place after the Revolution. The measures then adopted were suggested, first, by the supposed connexion of the Roman Catholic religion with an attachment to a family claiming the throne; secondly, by the belief that the particular tenets of that religion were hostile, not only to all governments, but to all existing society, and therefore ought not to be tolerated. Those motives were no longer in being. As there was no political attachment on the part of the Catholics to dread—all jealousy and suspicion on that subject being for ever laid asleep—in justice, those laws which were applicable to a different state of things should cease also. The noble and learned lord had in the course of his argument quoted Mr. Locke. The noble and learned lord's mis-representation of the sentiments of Locke, as well as that of a right rev. prelate, had been, on a former occasion, so completely answered by a learned lord, who, in his opinion, always did the greatest honour to himself by the benevolent enthusiasm which he manifested on this subject, that he was almost afraid to make any farther remarks upon it. Yet he could not forbear from hazarding a few observations. The noble and learned lord had quoted Locke in support of his argument. He would ask the noble and learned lord, when he cited Locke in support of the principle of exclusion for the defence of our religious establishments, whether he was prepared to adopt the whole of Locke's opinions (which the noble and learned lord said he had studied with so much care in the early periods of that career, which had raised him to that elevated station for which his profound legal knowledge so eminently qualified him) on the subject of those establishments? If the noble and learned lord answered in the affirmative, he should like to appeal to the right reverend bench, so fully occupied on the present occasion, to join he feared in opposition to his noble friend's motion, whether it would concur with the noble and learned lord in that agreement? He would next ask the noble and learned lord, when he cited Locke on the subject of the exclusion of the Catholics, whether he was prepared to adopt all Locke's opinions with respect to the character of the Catholic religion? Did the noble lord believe, as Locke and Somers and all the great men of the Revolution believed at that period, that at the present day the Catholics maintained, that faith ought not to be kept with heretics—that princes excommunicated by the Pope forfeited their thrones—that the Pope had a right to discharge from their allegiance to their sovereign all adherents to the Catholic religion; and that being so discharged, subjects had a right to murder their sovereign—and finally, did the noble and learned lord hold, not only that the Chatholic religion ought not to be tolerated, but that the profession of it was a crime which ought to be punished? The noble and learned lord would probably reply, that he would not go such lengths—that he was not prepared to throw out such monstrous imputations on the Catholics. "But then," said the noble and learned lord, "I have not heard these doctrines disclaimed by any Catholic authority." What disclaimer would the noble and learned lord have? Had they not been disclaimed by the Catholics in the oaths which they had taken? Had they not been disclaimed in the expositions of the principal Catholic universities, and of the highest dignitaries of the Catholic church? Could the opinion expressed by Locke be maintained as an authority balancing, and more than balancing all those authorities? On the contrary, was it not evident that as Locke advocated generally the most extensive spirit of toleration, deprecating all interference between God and man, and merely stating the case of the Catholics as an exception, the grounds having disappeared on which that exception was founded, the exception must follow them; and a recurrence take place to that great original principle of toleration which would place Locke among the warmest friends of the proposed measure? It was curious to observe the spirit in which the noble and learned lord who had so deeply studied the works of Locke thought proper to expound them. In the bill of rights and the act of settlement, the noble and learned lord could find nothing favourable, although in the acts prior and subsequent to them, he had discovered much that was hostile to liberty. So in Locke the noble lord said nothing about that general principle of toleration which tended to the success of the motion before their lordships; but he emphatically dwelt on that exception to the general rule by which he hoped to establish the continuance of the exclusive system. He (earl Grey) had heard that when the question of the slave trade was discussed in parliament the noble and learned lord had found in Locke's Treatise on the Constitution of South Carolina, passages which gave a colour of expediency to that inhuman practice, which, in spite of the noble and learned lord's efforts for its preservation, had happily been abolished. Such was the spirit in which the noble and learned lord read the works of Locke! Others who read him in a different spirit found in him the friend of justice, of benevolence, of freedom. The noble and learned lord, on the contrary, read him with a very opposite purpose. He read him to endeavour to discover one speck of error, one doubtful passage, which might be turned in favour of intolerance. This the noble and learned lord seized with avidity, and applied it to purposes such as that which he at present had in view. Something remained to be said on the question of supremacy.—The noble and learned lord thought it impossible to make a distinction between spiritual and temporal supremacy. And yet in one part of his speech he himself made the distinction, when he indignantly rejected the opinion that it originated with Henry 8th, and declared that it grew out of the common law of the country. It must then have grown under a Catholic government and under Catholic ancestors. It was not true, therefore, that Catholics did not consider a distinction between their spiritual and their temporal head as compatible with their duties as good subjects. "But," said the noble and learned lord, "how are they to be separated?" Why, the noble and learned lord himself had been a party to a separation of the two authorities. In the oath prescribed in 1795, a distinction was made between the civil obedience due by the Catholics to their sovereign, and the temporal obedience due to the head of their church. If the noble and learned lord's argument held on that part of the subject, it would apply with equal and greater force to the subjects of Catholic governments. In Catholic governments, the Catholic church being the established religion, and the Pope being acknowledged the head of that church, contentions were more likely to arise in the distribution of honours and emoluments. Accordingly, in former days, the Pope frequently endeavoured to extend his temporal authority in the dominions of the emperor of Germany, the king of France and the king of England. But no one had ever heard of such effects from the divided allegiance of the subjects of those monarchs as were supposed by the noble and learned lord. Had the Pope at present, or had he for a long time, in Austria or in France, such authority derived from his spiritual power, as in the slightest degree weakened the allegiance to their sovereigns of the subjects of those states? Had the subjects of this country, even at the time when the papal power was in its meridian, ever obeyed its mandates to the disregard of their duty to their sovereign? When Edward 1st was proceeding with his expedition to Scotland, he was required by the Pope to refer his cause to the see of Rome. This he disdained to do; and, when he laid before the barons of the realm, an account of the course he had pursued, they applauded his conduct, and declared that it was against the dignity of the Crown of England, against its liberty and laws, to suffer the interference of a foreign power with the internal policy of the kingdom "Neither," said they emphatically, "do we, nor will we, nor can we, nor ought we, to admit such an interference—and, if even the prince was desirous that we should bow to it, we feel, as freemen, that we ought, in that case, to oppose his will."—Here civil obedience was divided from that of spiritual—and, he conceived, that this portion of English history completely refuted the argument of the noble and learned lord. It was afterwards notified to Edward 1st that the emperor of Germany and the king of France admitted the right of the Pope to decide the point at issue on which Edward declared, that if the emperor of Germany and the king of France both took part with Rome, he would defy them, and would resort to arms against the Pope in defence of the rights of his Crown and the liberties of his people. A pretty good proof of his reliance on their preference of their temporal over their spiritual allegiance. In subsequent reigns, frequent instances occured of acts limiting the jurisdiction of the Pope, to which the people never objected. In Edward 3rd there was the statute of provisals. In Richard 2nd, statutes of premunire were enacted, tending directly to abridge the power of the Pope. In Henry 5th, Henry 6th, and in all the times down to the Reformation, examples were afforded, not only of Catholic subjects, but of prelates of that communion, assisting their sovereign in his disputes with the see of Rome. And yet, with all those facts before him, the noble and learned lord talked of the impracticability of separating the two kinds of allegiance, and maintained that a Catholic could not subscribe to the spiritual supremacy of the Pope, without acknowledging his right to interfere in civil affairs! This was an argument wholly untenable. It was contrary to all history—to all experience. It was contrary to the doctrines of the Catholics—to their professions—to their conduct. It was denied by that ardent and zealous loyalty so frequently manifested by the Catholics, and which afforded a complete and splendid refutation of all that had been urged by the noble and learned lord. In what period of our history did the noble and learned lord find the materials on which he founded his opinion? During the reigns to which he had referred, and down to the Reformation, there was no disposition to yield that kind of spiritual obedience to the Pope which the noble and learned lord thought destructive of allegiance to the king. Looking back to that period which immediately succeeded the Reformation, and when it might be supposed the Catholics were most liable to impressions of hostility to a Protestant establishment, in the reign of Elizabeth, he believed there existed no grounds for asserting that the Catholics in general were unfavourable to the title of that queen; disputed as it was by the pope, who levelled at it all the thunders of the vatican. Whatever might have been the dangers of her reign, those dangers were not aggravated by the disaffection of the Catholics; and though the most Catholic monarch of Europe was her enemy, and threatened, with what was called the invincible armada, her dominions with invasion, the Catholic proportion of her subjects were not backward in manifesting proofs of their loyalty and attachment, and in defending the kingdom against the menaces of a foreign, though a popish enemy. They attempted not to recover what they had lost, nor to revenge the injuries they had suffered—their faith and loyalty remained unshaken, and from a noble sense of duty they supported a government which they knew was inimical to them, because it was the government of their country. In the reign of Charles the 1st, when public discontent, originating in the misconduct of that monarch, had divided the kingdom—when some of the most virtuous and distinguished characters were compelled to place themselves in opposition to the Crown, yet it never was considered that the dangers of that period were increased by Catholic disloyalty. In subsequent times, when the danger arose from the apprehension of a popish successor to the throne, the restrictions against that body were first carried into effect: but it would, indeed, be most unjust if those laws, which peculiar circumstances of a temporary operation alone justified, should be continued long after the cause whence they originated had ceased, and if the Revolution, founded as it was on the most enlarged principles of civil and religious freedom, should be now considered as the basis of a system of exclusion which would disgrace it. The noble and learned lord had next proceeded to the articles of the union with Scotland, which, he observed, stipulated that the Protestant religion was to be established as the religion of the state. This, he admitted—but when the noble and learned lord went on to cite the union with Ireland in support of his argument, he (earl Grey) confessed his astonishment.—It had been asserted by the noble and learned lord that the union between Great Britain and Ireland had for ever put an end to concessions to the Catholics. That compact had, no doubt, guaranteed the security of the Protestant church as by law established. But in what part of its articles was to be found one word of a permanent exclusion of the Roman Catholics from all the privileges of the constitution? If he had read those articles rightly, he found them to suggest a very different interpretation. To his understanding it appeared, from their very context, that the ministers of the Crown who had carried that legislative measure into effect, and who felt the pressure of temporary obstacles to their views, had, at that time, contemplated the adoption of those very measures for which, after nineteen years, his noble friend and himself were contending; measures, the expectation of which had induced the Catholics of Ireland to give their support to the extinction of that parliament whose corruptions deserved no better fate. Was there a man who heard him, particularly after what had passed, on the discussion of that question in another place, that could doubt that if the Irish parliament had continued in independent existence, the relief now sought for by the Catholics would not have been long since granted. But what said the fourth article of that union, which, according to the assertion of the noble and learned lord, had for ever set at rest the question of Catholic discussion? It provided that every peer of parliament, and every member of the House of Commons, should take certain oaths and subscribe to certain declarations, until when?—until parliament should otherwise provide. So far then from the compact of the union being on this point, as the noble and learned lord assumed, fundamental and inviolable, and debarring parliament from any examination of the policy of continuing the obnoxious restrictions in question, those restrictions were expressly held out as a subject on which future provision was likely to be made. It was well known that ministers had, in fact, farther measures in contemplation, but not being able to carry them, although they had given a pledge at the period of the union that they should be effected, they found it necessary to retire from office, when it appeared impossible for them to redeem their promise. The noble and learned lord, and the learned prelates who opposed the motion of his noble friend, justified the exclusion of the Catholics as a denial, not of toleration but of power. What was meant by that distinction? Had they not assumed that the consequence of granting those concessions would be at once to place that body in possession of all the offices of civil and military trust? When, therefore, it was argued that danger arose from such a result, it was the duty of those who advocated the claims to show that, even if danger existed, it was not likely, from the nature of circumstances, to be so formidable as to justify the continuance of a system of exclusion from which much greater dangers were to be apprehended. In that view of the question, he contended, that under the most favourable circumstances to the Catholics, few of that persuasion could obtain such offices. Supposing a king of the country so insensible to his duties to his country —forgetful of his attachment to the constitution and the Protestant succession, as to dispense all his favours on the Catholics, he still could only do so to a very limited amount. Before then, we could suppose the existence of such an excess of Catholics as would be hostile to the security of the Protestant establishment, we must assume the concurrence of three circumstances most unlikely, namely, such an increase of numbers in the Catholics, compared with the Protestants, as was not to be calculated on—a Protestant king exclusively attached to the Catholics; and that king free from the control of a Protestant parliament. Three more untenable propositions could not well be imagined. It was not, however, just to say that power was the object of the Catholics. What they sought was eligibility to offices of civil trust. That eligibility was a civil right, of which no subject should be debarred, without showing that a great danger was likely to accrue to the state from his enjoyment of it. To deprive him, on grounds short of public danger, of that eligibility, which was the distinction of a free government, and more emphatically of the English government, was to do him a great injustice. It must, like every other privilege, be subservient to the general interests of the state, to be regulated and restrained by a paramount necessity; but no man could contend, that the capacity of rising to the highest office of the state, which belonged to the humblest man in the kingdom, as well as to the proudest of their lordships, was not a capacity of great and enviable importance, and of which no class of the subjects of the realm should be deprived, but on the clearest proofs of danger to the public safety from the possession. But reverting to the question of an extension of power to the Catholics, that had been given them already. Power had been conferred on them when they obtained the elective franchise—when they were enabled to enjoy property—to embark in all the successful pursuits of trade and commerce—when they were allowed to employ their talents in war, and to extend the influence which all those sources of power could not fail to produce. But having given them that power, why stop now on a principle of exclusion; having given the Catholics all those efficient means of influence, why convert them into a separate class, likely to view with jealousy and alienation that constitution, from which they were excluded? For his part, he never could reflect on such inconsistency, without being struck with its impolicy and danger. Instead of upholding a community of interests, and binding the people of the empire in the bonds of conciliation, the effect of these restrictions was, to excite divisions and irritation, sure to be more inveterate when the public exigency should require the unanimous co-operation of every description of the people; and yet that was the system to which the noble and learned lord looked as the main and essential security of the Protestant establishment. There remained another part of the subject, on which he was anxious to offer a few observations. In voting for the proposition of his noble friend, he was prepared to go into a committee, with the undisguised intention of affording to the Roman Catholics nothing less than complete relief. If, however, other noble lords felt that while they did not go to that extent, there were other measures of relief that they were disposed to concede, they must vote for the committee.—And here he must do the noble earl the justice to say, that though he conscientiously opposed those concessions on former occasions, he did so with peculiar moderation and liberality. That noble earl did not impute to the Catholics opinions of any immoral nature—he did not suppose them to hold doctrines incompatible with their loyalty to the state. The belief in transubstantiation, in the invocation of saints, and in the sacrifice of the mass, was disallowed by that noble earl, as a ground of disqualification. If so, why then continue declarations against those articles of faith on the Statute book? They were not connected with the supremacy of the pope, inasmuch as they were also the doctrines of the Greek and Russian churches. Why call upon any member of either House of Parliament, before he took his seat, to subscribe to such declarations, on subjects, of which many who subscribed could have little information; at the same time, that such a course went gratuitously to insult and degrade the belief of those who considered such subjects with religious reverence? Surely they might go into a committee to redeem the Statute book from such a stain, to relieve their own consciences, and the consciences of others, from the practice of subscribing to such unnecessary and degrading declarations. Had they examined the sacrifice of the mass, and the invocation of saints so accurately, as to be enabled to swear, however erroneous they might be, that they were also superstitious and idolatrous? He was also prepared for a revision of the oath of supremacy, but in the committee it could be investigated whether the terms of the oath (and, after all, an oath, it would be recollected, was the only security the exclusion possessed for its continuance) could not be so arranged as to yield security to the Protestant, and satisfaction to the Catholics. The noble lord who spoke from the cross bench, and who had on former occasions declared himself hostile to farther concession, had that night expressed himself favourable to the claims of the Catholics, although at present he was withheld from giving his support to them by the intemperate language of Dr. Milner.—When called to legislate on the condition and claims of the Catholics, he (earl Grey) must protest against the introduction of any opinions of Dr. Milner, or of having that subject discussed on grounds of reference to those opinions. If, however, the securities proposed in 1807, were proposed, as Dr. Milner was reported by the noble lord to have stated, from a malignant spirit, the proposition of those securities proceeded from Dr. Milner himself. That gentleman might have changed his opinions since, although he could not attribute such change to any good motive. But instead of the intemperate language of any man being an argument of delay, it was, in his mind, an argument for dispatch. Did any man believe, that if when that question ten years ago was first discussed, and those securities were proposed by the Irish bishops (and here he might be allowed to say that Dr. Milner was no longer their agent), concession might not have been made with the fullest security. Delay produced irritation, and that irritation, which was the natural result of disappointment, was sure to add to every postponement new and aggravated difficulties. Every thing was now favourable for the inquiry. It was a season of profound peace, in which it was the duty of parliament to repair the breaches which time or misrule had made in the fabric of the state. But without diminishing the hope of its continuance, were there not in the state of human passions, and in the relation in which we stood, as to our two great rivals, America and France, many things to forbid the expectation of its being perpetual? When we looked at America, we beheld a country rapidly advancing into all the strength and vigour of maturity—with a navy increasing in amount and character—propelled into activity by a century, in consequence of the impolitic conduct of this country—in time of peace taking up new positions, from which in war she was enabled to threaten our trade, and weaken the security of our colonial possessions; while Great Britain, notwithstanding all the sacrifices she had made for the security of the states of Europe, had neither the interest nor power to prevent it. If we looked to France, we beheld a country annually advancing to the realization of all those resources which were the fruits of wise institutions and an enlightened government, blessed in a variety of means from the fertility of climate, and her comparative exemption from debt,—her soil cultivated by a manly and contented peasantry—her population enterprising and impetuous, improving in all those habits which gave vigour and energy to natural resources. In such a state of things, it was impossible not to reflect on what the feelings of opposition and the spirit of revenge might in a few years produce. A calm and temperate policy would, no doubt, do much in averting any prospect of hostility, but no statesman could look to a very distant period without providing for such an issue. If he turned his view to our own condition, he saw our immense debt, our load of taxation unequal to the payment of the interest of that debt, and still impossible, though great the pressure on the industry and wants of the country, to be in any adequate degree alleviated. If he looked at the state of our circulation, he beheld that very same condition of things which when it existed in France, that country was uniformly asserted to be either bankrupt, or on the verge of bankruptcy. He had to consider that for the first time in our history, our paper currency was acknowledged by parliament to be depreciated—that in place of the ancient standard of value, we were proceeding to find a remedy in an untried speculation—hazardous because untried—and for the cessation of which we had no better security than what had been so often found inefficient in procuring our return from a paper to a metallic circulation. With all these considerations menacing our security, was Ireland to be left a continued prey to that system of proscription from whence in former exigencies so much of danger and alarm had been felt throughout the empire? Was it any thing less than madness to suffer such dangers to accumulate, and not, when the opportunity presented itself, to take the certain means to allay present discontent and provide future security. He knew that the morbid state of that country, the fatal effect of a long space of misgovernment, could not be remedied by any one measure, but could be accomplished only by a long perseverance in soothing, mild, and conciliatory principles of policy: and he conjured their lordships as they wished to retain the position their country held in the world, to commence that night the salutary work of conciliation and peace, by giving their assent to the proposition of his noble friend.

The Earl of *Liverpool* observed, it was evident that the friends of the Catholics now claimed for them free admission into all offices of state and trust, in the same degree that the Protestants enjoyed those privileges. If there were any subjects of minor importance in the contemplation of any of their lordships, on which concession was to be granted, any separate and specific remedies for particular grievances, it was open for those noble lords to bring them before the House; and it might become the House to entertain the discussion. But he was persuaded that their lordships were not to be deluded. The main objects of the Catholics were to be allowed to sit in parliament, in the privy council, and to be eligible to the great offices of the state. If there existed any doubt as to that point, it was only necessary to review what passed in 1813 on this question. The moment that the motion of a noble baron, who then sat in the other House of Parliament, was carried, for introducing into the bill then before that House a clause, excluding Catholics from parliament and the privy council, the bill was altogether withdrawn, even by its supporters, from the fuller consideration of the legislature. Was he not therefore justified in maintaining that the object of the Catholics was the extensive one which he had described? He agreed with his noble and learned friend that the principle of the constitution as established in 1668, was essentially Protestant. He would not follow the noble earl in discussing the specific reasons for each separate act of legislature, but he contended that the governing principle at the Revolution was to secure and strengthen the connexions between the establishments of church and state. In determining on that principle, their lordships' ancestors had abided by the striking lessons of experience in their own history. They had twice seen the constitution subverted, by severing the interests of the state from the church. The country had at that time the experience of two great convulsions; one in which the Puritans had overturned at once the monarchy and the church; the other at a subsequent period, where the monarch had almost subverted the church, and completely subverted his own throne by means of the doctrines and practice of Popery. With those examples before their eyes, our ancestors had wisely adopted the principle, that the connexion of a church and a limited monarchy was absolutely essential to the existence of civil liberty and of constitutional government; and in deciding the question that the king must be Protestant, they had also decided that the government must be Protestant likewise. Upon what principle, he would ask, could it be argued, that it was necessary to maintain the Protestant character of the Crown, and yet that it was a matter of indifference what advisers the Crown should have? The noble lord had asked at what point our concessions should stop? Certainly this would be a fair question, if the business was one merely of degree or expediency; but as he (lord Liverpool) understood it, it was a question of principle, whether the government, as by law established, could be otherwise than Protestant? Suppose the claims of the Catholics and of all dissenters were granted to the fullest extent; suppose a general establishment of equal rights; and that peers, commoners, privy-counsellors, and judges, were of any or all religions; if under such circumstances a king should happen to be conscientiously Catholic, would such a parliament or council, or ought it to show any anxiety to enforce against the sovereign those laws which absolved the people from their allegiance to a Catholic ruler? Could they or ought they in strict duty and consistency to advise the dethronement of a monarch, because he was a dissenter like many of themselves? Was it fit then that the advisers of the Crown should be Catholics? When the very acts of parliament that adopted and enforced the hereditary principle, had directed that even that principle should be broken through rather than the king should be a Catholic, how could it be said that the law contemplated or allowed Catholic advisers? It was said, indeed, that the times were changed, and that the exclusive principle, however useful formerly, was no longer requisite: but who was so profoundly versed in the signs of the times as to predict positively what would or would not happen after a long lapse of years? He would ask, whether 30 or even 20 years beforehand, any one could have been bold enough, or sagacious enough to foretell the overthrow of a long-established monarchy by the Puritans?

whether at the restoration of Charles 2nd, any one could have foreseen the overthrow of James in consequence of his adherence to Popery? It was from observation of these two events that our ancestors had laid down those principles by which the country had enjoyed more civil liberty and happiness than any other country on the face of the globe. Still if these principles were in themselves unjust, he should be the last person to desire their preservation, but he must confess that he saw nothing unjust in them. If one party should give a qualified, another an unqualified allegiance to the sovereign, there was no injustice in preferring the second to the first. Those who offered to the state a qualified allegiance only, did not bring the same claims for civil rights, as those who offered a whole and unqualified allegiance. The Roman Catholic not only brought a qualified allegiance, but differed from other dissenters in this, that he not only questioned the king's supremacy, but acknowledged a foreign one. All who dissented from the government in church and state, placed themselves in a state of exclusion, with this distinction, that with the mass of dissenters, there was merely a negation of the supreme power of the Crown in ecclesiastical matters; with Catholics there was the acknowledgment of a supremacy above that of the monarch. If, therefore, the Catholic came and asked for equal rights, there was no unfairness in saying to him, "You do not come on equal conditions with the Protestant subjects of the realm." The Quakers, a body equally exemplary for their moral demeanour and loyal sentiments, the non-jurors of a preceding reign, a class of conscientious and pious persons, were and had been excluded because they did not give that unqualified assent to the system of church and state which the law had pronounced to be essential to our liberties. It was not true, as had been asserted, that the church of Rome exercised no power except in matters purely ecclesistical. It was true that it did not pretend to temporal jurisdiction as such, but, at the same time, the objects under its control did in fact, concern almost all that was temporal as well as spiritual in human affairs: he alluded particularly to marriages, divorces, wills, and deeds of that nature. The principle of auricular confession, coupled with absolution, was alone a supremacy greater than any that ever belonged to any class of sovereigns. There could be little doubt that if the Catholic Hierarchy possessed the power they would use that power in pursuit of farther objects, namely, for the attainment of at least a participation of the property enjoyed by the clergy of the established church. To show that this participation was desired by the catholic Hierarchy he would not allude to the opinion or writings of Catholic divines which might be disclaimed as absurd or extravagant, but he would quote a gentleman who was generally deemed one of the most liberal, tolerant and moderate members of the Catholic body, he meant Sir John Throgmorton, who stated in a publication some time ago, that he looked for the day when the emoluments of the English bishoprics should be alternately held by Protestants and Catholics, according to the system acted upon in some of the German states. It was then for parliament to consider the expediency of granting power to those likely to employ it for the establishment of such a system. But it was said that the grant of such power as was at present required would serve to produce tranquillity and harmony in Ireland. In this opinion, however, he could not acquiesce. For he could not comprehend how the Catholics were to be contented with merely that quantum of power which their advocates at present demanded; and as to the argument drawn from the Catholic's possession of the elective franchise to repel the apprehension of danger from any farther extension of his political power, he thought it totally delusive. It was to be recollected that although the Catholic possessed the elective franchise, they could at present only exercise that franchise in the election of Protestants, whereas if the claims advanced by the petitioners were acceded to, they might vote for Catholics. If then the Catholics were invested with that power, could any one believe they would be content without going farther, and that instead of producing harmony and peace, the proposed concession would not rather serve to give birth to a perpetual contest between the Catholic population and priesthood on the one hand, and the Protestant proprietors and friends of the Protestant establishment on the other, especially with regard to the possessions of the church? He could not conceive it possible to avert such a contest, if Catholics were rendered eligible to sit in parliament.

But, notwithstanding his impressions upon this subject, he might be induced to concede the claims put forward by the Catholic advocates, if he thought such concessions likely to produce any practical good, because, for the attainment of such good, he felt that something ought to be risked. What good, however, he would ask, was to be derived to the great mass of the Catholic population from admitting a few Catholic lords and commoners to sit in parliament? If the Catholic peasant were consulted upon this question, he rather apprehended, that he would state to his confessor, that he felt no interest in an object that did not promise to relieve him from the payment of any part of his tithe, or to diminish his taxation, or to render him any good whatever. Such, indeed, would be the language of the great body of the Catholic people of Ireland. The noble earl's allusion to the system in other countries, and particularly to those where the Greek church prevailed, was not at all applicable as he (lord L.) conceived, to the case of this country, because in each of those countries the power of the Pope was controlled by the local sovereign, who, having the church possessions at his disposal, could guard against the danger of a foreign jurisdiction. No such guard could, in his view, be provided by his country through the establishment of a veto, in objecting to which he always thought the Catholics right, while he felt that the enactment of such a measure would afford no security whatever to the Protestants. The noble earl had alleged that no danger was to be apprehended in this country from the power of the Pope; but in this opinion he could not concur, from what was known of that prince's influence with the whole of the Catholic community, and it must be recollected that the extent of that influence was not distinctly ascertained. In seeking for civil privileges, it should be remembered that the Catholics applied for them upon terms which would not be acceded to in any free state; for they sought equal privileges with other classes of the people, but upon unequal conditions, as they were willing to submit only to qualified obligations of allegiance, while the obligations of others were without any qualification. Yet with all those objections to the claims of the Catholics, he would, he repeated, be ready to abandon the considerations which theory and abstract reasoning suggested, if a concession to those claims held out any prospect of practical good. That prospect, however, did not offer in his view; for instead of allaying animosity, he feared that the concession proposed would rather serve to extend it, while the Catholic people were not likely to derive any benefit or feel any satisfaction from the eligibility of a few individuals (respectable, no doubt), to sit in that or the other House of parliament. With respect to the allegation that the Catholics would be satisfied with the concessions now proposed, without seeking any farther objects—such, for instance, as the possession or participation of the property of the established church—he could not, he must say, be induced to subscribe to such an allegation, his opinion of human nature being very different from that professed by those from whom this allegation proceeded. Under all those circumstances, then, he could not consent to risk the security of the Protestant constitution established at the Revolution, recollecting the blessings which the country had enjoyed under that constitution, especially through the maintenance of the Protestant religion with a Protestant monarchy and a Protestant parliament.

The Marquis of *Lansdowne* said, that if the maintenance of the disabilities complained of by the Catholics, were necessary to the maintenance of the British constitution and of the Protestant establishment, which formed such an essential part of that constitution, he would be among the first to oppose their removal. But his impression upon this subject was quite different from that of the noble earl who spoke last. That noble earl's impression, appeared to be grounded upon what the character of the Catholics was in other times. But this he submitted was a most erroneous rule of judgment, not only with regard to the Catholics, but to various other sects. For who could in candour appreciate different sects of Dissenters at present, from what had been the conduct of those sects in former times? Who could, for instance, suppose the Anabaptists the same description of persons in the present day as they were, when through their extravagance they created such disturbances in Germany? Or who would estimate the present bishops of the established church, from the conduct of those Protestant prelates who in 1641 agreed to such odious canons, and especially to that which proclaimed the divine right of kings? Such a rule of judgment would never be insisted upon by any just man, with reference to any existing sect, time and improved knowledge having produced a material change in each and all. Therefore the noble secretary's conclusion was not to be sustained. The noble earl was equally erroneous in attributing the conduct of the House of Stuart to the influence of the Catholic religion; that conduct being notoriously the result of a desire on the part of that infatuated family to establish arbitrary power. What, for instance, had the Catholic religion to do with the conduct of this family in Scotland? The noble secretary had deprecated as peculiarly dangerous the admissibility of Catholics to sit in the councils of the sovereign, at the will of the sovereign himself, for that was all the advocates for the Catholics proposed. He also professed to think it dangerous that Catholic noblemen or gentlemen should be rendered eligible to sit in a Protestant parliament, or to accept certain offices under a Protestant government. Whence the noble secretary's apprehension arose he could not divine. With respect to the dangers apprehended from the supremacy of the Pope, there was no instance to be found of those dangers being produced by that article of Catholic faith in any of the countries of Europe in which it was so much more likely to be dangerous in this. As to the argument against the motion, derived from the coronation oath and the principles of the Revolution, he maintained that it was directly against those principles to allow that the Crown was prevented from admitting to its service any body of its subjects whom it might think worthy of trust. The noble secretary was adverse to the admission of Catholics into the constitution, because truly they sought that admission upon qualified conditions! It was to be recollected, that all the Dissenters were so admitted upon qualified conditions. But if the noble secretary's principle were established all those Dissenters who would not take the oath of supremacy must be excluded from the constitution, and all Scotland would be subject to that exclusion. Such a system of exclusion would not be attempted even by the noble secretary, and upon what ground of equity then should the Catholic be excluded, because he could not conscientiously take certain oaths? The Catholics were ready to take any oath that might be deemed necessary to assure the peformance of their civil duties as loyal subjects. They had, indeed, already subscribed the oaths required of them:—some of those oaths having been drawn up by their decided opponents, while others were framed by themselves; so that the Catholics had done all in their power to satisfy the object, and to afford the assurances which the noble and learned lord on the woolsack appeared to demand; and he was authorised to state, that they were ready to subscribe to any other oaths that might be deemed necessary as a guarantee for their civil allegiance.

The Earl of *Westmorland* said, that he should not presume, after the subject had been so fully debated, to enter at large into this extensive question, but to call their lordships attention to the state in which it now came before them and to make some observations on what had passed in the debate. Having, whilst he had the honour of serving his majesty in Ireland, recommended the situation of his majesty's Catholic subjects to the favourable consideration of the parliament—having through the able and temperate conduct of a noble friend whose loss we all lament twice been enabled to give his majesty's assent to liberal concession to that body—he trusted it was unnecessary for him to disclaim any notions of bigotry or intolerance, or to express his earnest wishes to conciliate the affections of that class of his majesty's subjects, as far as was consistent with the state and temper of the times, the peace and tranquillity of the country, and the maintenance of the establishments of the realm. The proposition made by the noble earl was under certain words, to go into a general committee for the purpose of forming an arrangement that would conciliate all classes of the king's subjects, and unite them in support of the British constitution —an object so desirable that there was no one in the House but must anxiously concur in it; but it was because he was persuaded that the noble lord's proposition if acceded to, would instead of union and concord, produce dissatisfaction, discontent, and disorder, that he should give it his decided opposition. For a due consideration of the subject, let us review the state in which we own are. Some few years ago, the friends of the Roman Catholic claims thought it right, that, in return for the removal of all disabilities from the Roman Catholics, certain concessions should be made on their side, such as some interference of the Crown in the appointment of the Roman Catholic superior clergy, and some restrictions on the communications with the see of Rome, called the Veto, and the *regium exequatur*. Whether these propositions were proper or not, he meant not to examine, but these views were brought forward by considerable persons, and these opinions had the sanction of great names—they had the sanction of the noble lords opposite, the chancellor of Oxford, and though he was aware they had changed their opinions, yet some consideration was due to others, who happened not to be able to change their opinions as fast as they have done; however, these persons, wise when in concurrence with noble lords, and now unwise, or if it is more approved by the noble lord, always unwise, brought forward a bill upon these principles, what was the result? A small party of the upper class approved it; the rest of the body and more particularly the clergy, remonstrated against it: its supporters were designated worse than orange men: it was denounced from the pulpit—the bill of relief was denominated, a bill of pains and penalties, worse than the penal statutes,—a bill that could be enforced only through torrents of blood, and that would shake the British empire to its foundations. Was it not from this undoubted fact, that no plan was yet known that would conciliate the two sects, and give content, was it not useless to go into a committee; did it not become every one to bring forward some distinct proposition upon which men might decide, and not by dealing in generals, produce either unfounded expectations or general alarm? what must be the opinions of people of the motives of this committee? Some would think it was to grant every thing to the Catholics, others, that it was intended to renew the late bill of relief. If the noble lord's project was to alarm only one class it might be of less importance; but by this committee you would alarm both Protestant and Catholic equally. It had been stated by the noble lords opposite, that the time was favourable for the temperate discussion of this question, but he was very sorry to differ from them, as he much wished that the subject should be temperately and favourably discussed and was obliged to say that, in his opinion the time was very unfavourable, and that from causes some of which, the Roman Catholics were responsible for, others for which they were not responsible, a very unfavourable impression had gone forth in the public, even much more unfavourable than some years ago. The first point he should notice that had this effect, and for which the Roman Catholics were responsible, was, the reception and conduct on the bill of relief proposed by their friends. This measure in return for abdition of all distinction, required less interference and laid less restrictions than any state in Europe, Catholic or Protestant had laid upon the Catholics, and communications with the Roman see,—a measure which at various times had the concurrence of many of that body. The next was the conduct and declarations of Roman Catholics in other parts of the world, and the doctrines that have been promulgated by their clergy. In a letter from Pius 8th dated May 1808 to all the cardinals, giving an account of his transactions with Buonaperté he says,—"He proposed the liberty of every worship with free exercise thereof. We have rejected this article as contrary to the councils, to the canons, to the Catholic religion, to the tranquillity of life, to the happiness of the state, from the consequences that would be derived from it." No one can deny that the head of the church must know the principles of his church, and it must have an influence on the public mind, that all regulation should be refused by a sect whose head propounded such principles. Next was the declaration of the Archbishop of Mechlin and most of his suffragans, "that Catholics could not take the oaths to a Protestant sovereign. The re-establishment of the order of Jesuits. The suppression of all societies for the publication of the Bible. The persecution of the Protestants in the south of France and the murder of sixteen Protestants at Nismes: and the indiscreet publications from the Catholic press, particularly those of Dr. Drumgoole, and Dr. Gandolphy. It was perhaps harsh to make bodies responsible for the indiscreet writings of individuals but such was the nature of man, that such writings would have that effect, more certainly when the indiscreet writings of the latter were described by the superior authority at Rome as worthy of being placed in letters of cedar and of gold. These circumstances (whether properly or not he should not discuss) had given a very unfavourable turn to the public opinion in this country, and he trusted he should presently show that the noble lords opposite were fully impressed with that opinion. First, the opinions of the Protestants, of Ireland and some petitions from some of that body had been advanced as proving a change in the opinion of that class of his majesty's subjects; but when he considered the great property power and influence in that country which belonged to the noble lords opposite (certainly they would only use the influence of their high opinion) the only surprise was, that more petitions had not been obtained, and that such power and influence could only extract eight or ten petitions from that country proved to him that the opinions of the Protestants of that country were not changed and that they looked at this question with alarm. Next, the opinion of the people of England; they had indeed spoken their sense in petitions, against the measure, but upon these petitions he could not help making an observation;—when the clergy petitioned their petitions were censured by the noble lords; if they were silent, their silence was construed in favour of the claims, but he must insist that every British subject had a right to be heard; and in no case could the clergy come forward with greater propriety than when they considered the religious establishment endangered. However, petitions there were enough to mark the public opinion, and to prove that opinion he should appeal to higher authority than that of the favourers of the Catholic claims. Until the last year, this subject was brought forward every year since 1805 with the greatest urgency except one (1806) when " a wise and powerful government" thought proper to keep it back; but why was it kept back on the very eve of a popular election? What an excellent opportunity such a subject must have afforded to a certain class of statesmen, to declaim upon toleration; and then with their Whig principles on one side, and their support of the Catholics on the other they might have met the people with wonderful advantage, and driven their intolerant antagonists before them, the noble lords and their assistants in another place, however were as silent as mice, and, popular as the question was supposed to be, how did it happen by some fatality that notwithstanding the boast of the late glorious minority on the Roman Catholic question no means were devised for letting the public know who formed that glorious minority. One great argument for this question of abolition of all distinctions, was that it would put an end to all dissensions. If he could think that it would really have this effect, he would go a great way to agree to it. He could state many and most serious questions that would still remain to be adjusted, but he was saved giving the House that trouble by the admission of several of the noble lords opposite, that these concessions would not effect a final settlement of all dissensions. Those noble lords said, however, that if the concessions were granted, all other matters which occasioned dissension would be easily settled, why, then, in this case he must say that he would rather see these matters settled first. If, then, the proposition is improper and the time unfavourable let us look to a few of the arguments that have been used. A reverend prelate and the noble lord talk of this measure having been the cause of the union—that the union had been carried by a promise to, and an expectation of the Catholics. Various no doubt were the expectations and views of different descriptions of men on that measure. What great power the Catholics who had no seats in parliament had in carrying the union, he should rather be at a loss to discover, but he was really of opinion that the fear of the Roman Catholic claims being carried in Ireland had a very powerful influence with many in supporting the great measure of union. He knew one particularly, who was more interested than any one, except Mr. Pitt himself, who was actuated by that opinion. He was apprehensive lest the Irish parliament might yield this measure which he considered would have been a fatal blow to the English interest in that country but that when once the union was accomplished and the discussion of those claims was in England, all was safe, for that no parliamentary party, no minister could force the people of England, upon this question and perhaps the noble lord opposite had had some hints to show that he did not judge very falsely in that opinion. Next, anomalies were stated which no doubt existed, but whatever they might be, he should say they were to be attributed to those who pretended to be favourers of the Catholics! What was the case when the relief bill was brought in? Was not every person desirous to make an arrangement as favourable as possible, independent of removal of all disabilities, and was not the measure withdrawn by its supporters upon the rejection of the clause giving the Roman Catholics seats in parliament? Fairly then it may be asked, who are the best friends to the Catholics, those who were willing and have granted them every thing that the state and temper of the country and their sense of their duty will allow, or those who reject every thing and keep up the grievances in mass, attempting what they know they cannot obtain against the sense of the country. The power of parliament and of offices should be reserved; because whilst that power remained whatever other arrangements or concessions might be to be made, you had the power of control and management, but these acceded to, the power was gone and events must take their course temperate or otherwise wherever the storm or current might drive. He denied that concession would of necessity produce conciliation for were not the great concessions formerly granted to the Catholics followed by a violent and sanguinary rebellion? He alluded next to what had fallen from a learned prelate, that England had the reproach of not extending the rights of toleration so far as the other nations of Europe, this he believed not to be founded on fact, but, admitting that every country in Europe, Africa, Asia, and America had acted in such a manner as the noble prelate described, still, until those countries resembled England and Ireland the analogy would not hold. Did those countries contain two hierarchies each assuming religious power? Did they contain in every parish, priest against priest, one in possession of wealth and the other of poverty? Did they contain one million of one religion, enjoying the principal wealth of the country, and the church establishment, the remainder looking at these possessions with regret and anxiety. So much for Ireland. What was the case of England? Had other nations a free parliament, a free press, constant contest of parties, the one making every exertion and every sacrifice to obtain political power, the other to retain it? Could any one say what points a connected body in parliament of a much smaller number than was contemplated the Catholics might be in parliament choosing their time and opportunity, and throwing the balance between the parties, might not attain? Unless such a state of affairs were shown to exist in other countries, no analogy could be established. What were the opinions of Mr. Pitt on the subject? He was a very strong and determined friend of the Roman Catholics, and no man was more zealously anxious for carrying this measure than that great statesman; but he, poor man! not being gifted with the powers of prophecy, required not only some securities for the defence and protection of the Protestant church, but he required also, that these concessions should be granted not with the universal, that was nearly impossible, but with the general feelings and concurrence of the people, without which they would be not a source of union and concord, but of civil and religious distraction and discontent. Thinking, therefore, the proposition of the committee pregnant with great mischief, and the times unfavourable for a temperate discussion of these questions, he should give his negative to it.

The Earl of *Carnarvon* protested against the principle that the House should decide on the question of Catholic emancipation, before they determined whether they should go into a committee. He thought the objection to a committee came with a singularly ill grace from his majesty's ministers, who had, during the present session, delegated every branch of the executive power to committees of parliament. The objection to admitting Roman Catholics into places of civil trust and power, was equally untenable after the army and navy had been opened to their ambition. The military profession had been made free to the Roman Catholics, and yet apprehensions of their fidelity were affected to be felt when the question arose respecting their admissibility to civil offices. As to the king's supremacy, he did not understand in what sense the recognition of it was demanded from the Catholics. They were willing to acknowledge the Protestant church as the established religion of the empire, and the king as the head of the Protestant church. What more could be required? Was the king to be not only the head of the established church, but of all sectaries? The argument was absurd.

The Duke of *Wellington* said, he considered that the whole of this question turned on the expediency of removing the disabilities from the Irish Roman Catholics, and upon what concessions could be safely made to them. As a means of inquiry, a committee was proposed. The whole question turned upon the degree of security which could be given to the Protestant religion as by law established in Ireland. To consider this, it was necessary to consider how the Reformation had been established in Ireland. It was not necessary for him to recall to their lordships' remembrance, that the unreformed religion had been established in Ireland at the point of the sword, and by means of confiscations. All this was repeated at the Revolution, and was fresh in the recollection of the people of Ireland. Keeping in view that the Irish Roman Catholic church, under all oppressions continued in the same state—the pope having the same influence over the clergy —the clergy the same power over the people; in this state of things, he would ask, whether it was possible that Roman Catholics could be safely admitted to hold seats in parliament? The influence of the priesthood over the people was fostered by the remembrance of the events to which he had alluded; and the idea of unmerited and mutual suffering; and no doubt could be entertained, from their present feelings, that if the Roman Catholics were admitted to the enjoyment of political power, their first exertion would be to restore their religion to its original supremacy; and to recover the possessions and property of which they had been stripped by the Reformation. It was, however, said, that securities were offered on the part of the Roman Catholics. The pope, it seemed, had, in the appointment of bishops, relinquished all to the Crown, except the mere conferring of a spiritual blessing. But how had that concession been received by the people of Ireland? It had excited the utmost discontent, and was regarded as an abandonment of the essential principles of their religion, and an attack on their national independence. Did that arise from the people of Ireland having a less clear idea of national independence than other people? No; but they felt that if the executive power possessed any control over the appointment of the Roman Catholic bishops, some security would be thereby obtained for the Protestant church. Considering, then, that the whole question, turned upon the degree of security which could be given, and looking at the various securities which had at several times been proposed, he had never yet seen any thing that came up to his notion of that which ought to be required. As to what had been said of the domestic nomination of bishops he did not see how the laws of the country could operate upon it, so as to make it an adequate security. Then as to the oath of allegiance which the bishop was to take, of what avail could it be, that the law required this oath from a bishop, who was appointed God knows how, or by whom? When all those circumstances were considered—the state of the Irish Catholic church—the way in which the Reformation had been effected—the rivalry and enmity between the Catholics and the established church, and the inadequacy of all securities which had been proposed, there was, in his opinion, enough to decide the question: for the first and greatest duty of the legislature was, to secure the establishments as settled at the Revolution.

The Earl of *Darnley* thought that his noble and gallant friend had treated the subject as if it were of an ecclesiastical rather than of a civil nature. It would certainly be highly desirable to satisfy the minds of the Protestants with securities, while the Roman Catholics were admitted to a full participation in the advantages of the constitution; but the means of effecting that could be ascertained only by going into a committee. He could not see how the safety of a single Protestant could be endangered by extending the civil rights of the Catholics; he, therefore, at that late hour of the night, would not detain their lordships any longer, than by stating, that, with or without securities, he was willing to grant to the Catholics what sooner or later they must inevitably obtain.

The question being loudly called for, the House divided:

Contents......... 70——NotContents...97
Proxies ......... 36——Proxies......... 50

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Not Contents 147
Majority against the Motion ... 41.

*List of the Majority and Minority.*

MAJORITY.

*Present—Not-Contents.*

DUKES.
York
Beaufort
Rutland
Newcastle
Northumberland
Wellington
Athol
MARQUESSES.
Winchester
Bath
Cornwallis
EARLS.
Pembroke
Bridgewater
Denbigh
Westmorland
Huntingdon
Winchelsea
Cardigan
Shaftesbury
Abingdon
Harborough
Macclesfield
Pomfret
Harcourt
Plymouth
Bathurst

Aylesbury
Beauchamp
Lonsdale
Scarborough
Abergavenny
Mt. Edgecumbe
Digby
Liverpool
Romney
Powis
Manvers
Orford
Whitworth
Roden
Courtown
Charleville
Carrick
Farnham
Gosford
O'Neill
Enniskillen
Aboyne
Glasgow
Galloway
Verulam
Brownlow
Kinnoul.
VISCOUNTS.
Falmouth
Sydney
Sidmouth
Lake
Arbuthnot
Exmouth.
BARONS.
Eldon
Stawell
Boston
Dynevor
Walsingham
Baggot
Suffield
Kenyon
Selsey
Dunstanville
Rolle
Bayning
St. Helens
Arden
Hill
Bolton
Harris
Colville
De Clifford
Rodney
Redesdale
Wodehouse
Gambier
Gage.
ARCHBISHOPS.
Canterbury
York.
BISHOPS.
London
Exeter
St. Asaph
Peterborough
Worcester
Lincoln
Carlisle
Dromore
Raphoe
Salisbury
Oxford
Ely
Bangor
St. David's

*Proxies.*

DUKES.
Marlborough
Montrose.
MARQUESSES.
Winchester
Exeter
Huntley
Thomond
Cholmondeley
Lothian
Hertford
Ely
Northampton
Salisbury.
EARLS.
Home
Longford
Malmsbury
Morton
Harewood
Portsmouth
Kellie
Coventry
Stanhope
Sheffield
Nelson
Ferrers
Poulett
Chichester.
VISCOUNTS.
Curzon
Carleton
Hood
Maynard.
BARONS.
Le Despenser
Beresford
Berwick
Dudley and Ward
Colchester
Rous
Napier
Broderick
Northwick
Ribblesdale
Middleton
Gray
Montagu.
BISHOPS.
Winchester
Hereford
Durham
Bristol
Chester
Gloucester
Chichester.

Present 97—Proxies 50——147.

MINORITY.

*Present—Content.*

DUKES.
Kent
Sussex
Somerset
Grafton
Portland
Argyle.
MARQUESSES.
Buckingham
Lansdowne
Camden
Bute
Anglesea
Tweedale
Conynghame.
EARLS.
Derby
Essex
Jersey
Oxford
Dartmouth
Cowper
Harrington
Warwick
Hardwicke
Darlington
Delaware
Spencer
Grosvenor
Fortescue
Carnarvon
Rosslyn
Grey
Harrowby
Mulgrave
Minto
St. Germain's
Bradford
Darnley
Cork
Bessborough
Cassilis
Breadalbaine
Lauderdale
Rosebery
Charlemont
Kingston
Donoughmore
Aberdeen
Mount Cashell.
VISCOUNTS.
Torrington
Melville
Granville
Clifden
Bulkeley
Say and Sele
Howard
Clinton
King
Ducie
Foley
Amherst
Belhaven
Grantley
Somers
Braybrooke
Grenville
Auckland
Calthorpe
Lilford
Crewe
Lyndoch.
Bishop of Norwich.

*Proxies.*

DUKES.
Bedford
Roxburgh
Leinster.
MARQUESSES.
Stafford
Downshire
Wellesley
Headfort
Sligo.
EARLS.
Suffolk
Thanet
Albemarle
Fitzwilliam
Waldegrave
Eglinton
Carysfort
Ormond.
VISCOUNTS.
Hereford
Bolingbroke
Duncan
Anson
Keith
Montfort
Grantham
Holland
Sondes
Glastonbury
Dundas
Yarborough
Cawdor
Carrington
Alvanley
Ellenborough
Erskine
Hutchinson
Stewart.
Bishop of Rochester.

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## HOUSE OF COMMONS.

*Monday, May* 17.

London Gas Light Bill.] Mr. Peter Moore moved the third reading of this Bill.

Sir *R. Fergusson* confessed, that he was not very friendly either to Gas Lights, or Water Work companies—not that he was hostile to the ingenious improvements or discoveries, by which the public had derived great convenience; but his dislike arose from the way in which these companies conducted themselves. They might be termed a sort of amphibious animals, sometimes upon land, sometimes upon water. In another view, a kind of ambiguous animals, sometimes presenting fire instead of water, and sometimes water instead of fire. So that it was frequently doubtful whether the public of this great metropolis were to be exploded by fire, or overwhelmed with water. In many instances their concerns were so wretchedly directed, as to excite fears and alarms. With regard to the present bill, he thought it so defective in many particulars, that as he despaired of any satisfactory amendments in its present form, he should move the third reading on this day six months.

Mr. *Colclough*, although he admired the public utility derivable from the gas lights, yet could not approve of the manner in which the companies conducted their concerns. In some cases, the gas amounted to 5*s*. per cubic foot only, while in others it reached 14*s*. The bill now before them was, he believed, in the latter calculation, and therefore was of sufficient quality to answer the purposes intended. But while parliament was encouraging chartered gas light companies, it forgot a paramount duty to the public, that was, to protect the health of the inhabitants of London and Westminster—to take care that nothing pestiferous should arise from the manufacture of gas, so as to endanger the lives of that community which the companies were bound to serve. The mode now adopted in discharging their off-scowerings into the river Thames, put the salubrity of the whole metropolis to the hazard. This refuse from the gas contained a deleterious composition, which, impregnated into the Thames, endangered the lives, not only of all the fish in the river, but of all the inhabitants of London and Westminster. But he wished for a rivalship in the various gas light companies, by which the community might be benefited, and would, for the sake of an experiment, support the bill.

Mr. *P. Moore* thought, that there would be just cause of complaint, if those who opposed the bill were to succeed. The gentlemen concerned in the proposed company, had already subscribed 120,000*l*. sterling; and before they had ventured to make any application to parliament, four-fifths of their capital had been realized. They had also applied to the directors of the chartered gas light company, stating, that if any objections occurred on their part to the plan now submitted to parliament, the new company would willingly enter into any explanation, so as to reconcile all differences. But all the answer which they could receive was, that they had received no orders to state any objections. They afterwards, however, proceeded with a total want of candour, by assailing and condemning the project with every prejudice and every effort of hostility. It was even insinuated to their friends, that if the present bill were not thrown out, they would be no longer able to command the monopoly of the metropolis; and this by a company whose rental exceeded 100,000*l*. a year. But it would be extraordinary indeed, if this great and populous city, consisting of 8,500 streets and squares, should, in the application of gas light for public convenience, be left to the caprice or control of such a company. The House would see the policy of rousing a spirit of competition, not only to prevent the probable inconvenience, but perhaps the arbitrary exactions also of the said company.

Sir *J. Yorke* had no partiality for the fire and water companies. By their conduct, they were a nuisance to the public. In his opinion, all the competition or rivalry which they produced was the rivalry of who should pull the pavement most violently to pieces.

Mr. *H. Sumner*, in order to accommodate the various parties, recommended the recommitment of the bill. If the measure were a good one, and he was inclined to think it was, it would be unfortunate if the prejudices of the moment were to defeat those who had embarked so much property in the concern. The advantages derived from the application of gas were manifest. Besides the great convenience to the public, by rendering the streets, squares, and passages, light as day, gas was highly advantageous to the police. This last recommendation alone ought to operate in favour of the bill.

Mr. Alderman *Wood* approved of what had fallen from the last hon. member. The aid which the police derived from gas lights was of the greatest importance to the community. With regard to the complaints of the refuse of the gas being thrown into the river, and endangering the lives of the inhabitants of the metropolis, a clause should be introduced into the bill, ordering that the commissioners of sewers should take care that no nuisance of the kind should be suffered. Thinking that the provisions of the bill might be beneficial, he was in favour of the re-commitment.

Mr. *Bennet*, however much he admired the gas light, confessed his apprehensions and fears from some sudden derangement of the pipes or works, when perhaps nearly the whole town might be left in total darkness. We reposed too much confidence in these companies. It was advisable to draw some line between their profits and the public safety.

The House divided: for the amendment, 134. Against it, 31. The third reading of the bill was consequently put off for six months.

PETITION FROM CAPTAIN HANCHETT CONCERNING HIS REMOVAL FROM HIS OFFICIAL SITUATION.] Mr. *Bennet* said, he held in his hands a petition from John Martin Hanchett, a post captain in the royal navy, a companion of the order of the Bath, and late comptroller of the naval watch, for the prevention of smuggling. The petitioner was a person who had distinguished himself on many occasions in his profession, and was a gentleman of excellent character. He complained of having been deprived of his situation, without any adequate cause, by an hon. gentleman opposite (Mr. Lushington), who had so abused the powers of his official situation for the purpose of appointing a person who had the power of furthering his political influence in the city of Canterbury. He would not injure the cause of the petitioner, which would be best understood from the petition itself. He should merely state that this honourable officer, after undergoing great fatigues in this office, by which, in addition to his former professional services, he was very much worn out, had signified a wish to retire on a superannuation allowance, and that he had been displaced by the hon. secretary of the treasury, who abruptly removed him and placed another officer in his stead to serve his election purposes. The hon. gentleman concluded with moving that the petition be brought up.

The *Chancellor of the Exchequer* wished to explain to the House the part which he had had in this transaction. Soon after the return of peace, he had received several letters from captain Hanchett, on the subject of a plan for the prevention of smuggling, which displayed great ability, and which led to an interview with the writer. At that time, he knew nothing of captain Hanchett, except that he had heard his name mentioned with approbation as a naval officer. On the grounds then of captain Hanchett's merits in the service, coupled with the admiration of his letters, he solicited the interview with him: and it was with sincere pleasure that he introduced into the public service of the country, in time of peace, an officer in high estimation, on public grounds alone. Captain Hanchett discharged the duties of the office to which he was appointed, very much to the satisfaction of government, till last autumn, when he signified a wish to resign in favour of a gentleman, to whom there was no objection, that he was not of a rank to be placed over other officers who stood higher in the service. In the mean time, information was given to the treasury, that captain Hanchett had entered into a negotiation with this gentleman to receive from him 500*l.* a year, or 6,000*l.* paid down at once. When these circumstances came to his knowledge, he determined that captain Hanchett should no longer hold the situation. There could be no doubt that a person who endeavoured to obtain money by such means, was a very unfit person to hold such a situation.—His hon. friend near him had not taken one step in the business without consulting with him. As he himself had been the principal actor, he was willing to take his full share of the responsibility.

Mr. *Bennet* said, he had been aware of the official storm which would be raised against this officer; and he had cautioned him to beware how he proceeded—that he would do so with a rope round his neck,—and unless he made out his case in every respect, he would certainly lose himself. Captain Hanchett had determined to proceed with his case; and it was now necessary that he should proceed; for had he been disposed to withdraw the petition, the conduct of the right hon. gentleman would have prevented this. The case of that officer would go out of the House with the statement of the chancellor of the exchequer, delivered with an air of candour, but hostile and offensive in the highest degree towards him. Having stated what the charge and ground for dismissing the petitioner was, it was impossible for him, if he possessed those feelings, which he believed he possessed, to hesitate one moment as to the course which he should pursue.

Mr. *Lushington* said, if the hon. gentleman had looked into the case deliberately, he would have found that so far from the petitioner having been treated with cruelty, too much lenity had been shown him. He owed an apology to the country and to his right hon. friend near him, that this officer was not dismissed sooner; and when he stated the circumstances to the House, which were proved by evidence which he held in his hand, and the records of the Treasury, he trusted the House would be convinced that he could not suffer the petitioner to remain any longer in his situation. In August last, the petitioner proposed, in consequence of the wounds he had received in the service, to retire on a superannuation allowance. It was stated to him in answer, that he had not the least claim; that his services, as a naval officer, were quite distinct from his services in the other situation; and that as he had only been two years and a half connected with the revenue, it was impossible to allow him to superannuate. He had calculated his office worth 1,500*l.* a year; and on this calculation he wished a superannuation of 1,000*l.* a year. In the mean time it was discovered that he was endeavouring to sell his appointment; and this was the ground for his dismissal. The case had been sent to the law officers of the Crown with the evidence, to ascertain whether the negociation for resigning an office, accompanied with the corrupt purpose of receiving money from the person who succeeded him, did not come within Mr. Perceval's act. The answer received was, that it did not come quite within that act. As the law now stood, he escaped the penalty of the law; but if he had negociated for another person's resignation, he would have come within the act. With respect to the particular statements in the petition they were totally groundless. He did not mean to deny that he entertained a regard for his constituents; but he should be ashamed to sit in that House, if he had misapplied his patronage in the manner charged against him. He should have no difficulty in showing, that the persons named in the petition were recommended by captain Hanchett himself. The only fault he had to accuse himself of was his lenity towards captain Hanchett: but this proceeded from a wish not to throw any discredit on an officer of character in the service to which he had belonged. And under these circumstances he would ask the House, whether he was not justified in the lenity which he had shown.

Sir *Francis Burdett* was of opinion, that all that the hon. gentleman had just said, amounted only to an additional reason for receiving this petition. Now, as to the alleged transaction of the secret agreement, there was no moral guilt, no actual crime, in selling a resignation; they might make it a crime, and had indeed done so, at law: but it was well known that, among officers, the sale and exchange of commissions were matters of every day occurrence. If the officer in question had been detected in taking money to pervert the duties of his office, then indeed he would have been guilty of a moral crime, of a crime too against the public. It did not appear that in this instance the transaction would have prejudiced the public service. The hon. gentleman opposite had said, that it was not included in the provisions of Mr. Perceval's bill—a bill which was brought in after the commission of what was, beyond doubt, a very corrupt act—an act which was proved against Mr. Perceval himself, and a noble lord who was now sitting opposite; yet upon that occasion the House did not think proper to allow the slightest expression of its disapprobation to be recorded. The hon. gentleman had been pleased to consider this before the House as a *casus omissus* in that bill. Now, he would beg gentlemen to remember, that supposing what that hon. member had stated to be perfectly correct, it did not follow that the petitioner was necessarily guilty. Nothing advanced by the hon. gentleman himself necessarily implied any thing like moral guilt. But there was a charge against the hon. gentleman, that he had used the patronage and influence of government to further his own electioneering views. For his own part, as he, on the one hand, did not believe that charge to be a true one, so on the other he was not prepared to say that it was entirely without foundation. As on the one side there were direct charges, and on the other mere assertion in reply, he hoped the House would permit the petition to be brought up, especially as it would afford the hon. gentleman a fair opportunity to vindicate his own conduct.

The petition was then brought up and read. In addition to a variety of details relative to former services, and the conduct pursued by captain Hanchett in the execution of his duties, it particularly stated, "That the petitioner finding in 26 days after the date of his appointment, that the sum produced by (his) one-third part of the king's share of all seizures would exceed 6,000*l*. or 7,000*l*. per ann., which he considered to be greatly beyond a fair compensation for the discharge of his duty, especially at a time when economy was necessary in the public expenditure, voluntarily resigned the same. On the motion, that it do lie on the table,

Mr. *Lushington* claimed the attention of the House, because the petition contained very strong reflections upon the character of one of its members. The hon. gentleman opposite had said nothing about the affair of the 6,000*l*., which was the very head and substance of the charge against him. The hon. member then proceeded to read the deposition of lieut. Dombrain. The examinant declared, that in conferring about the proposed arrangement, capt. Hanchett had said, "This is all under the rose; not a word about it to Mr. Lushington." The complainant's petition stated, that lieut. Dombrain, the officer appointed to serve under him, was young and inexperienced. It was a little remarkable, however, that he was the very person in whose favour the resignation of capt. Hanchett was to be made, and with whom the arrangement was projected. And why was not that arrangement concluded? Why, because he (Mr. Lushington) had interfered to prevent it. All the statements made by lieut. Dombrain, in regard to the whole affair, were quite satisfactory. He had always found him zealous and active in the discharge of his duty, and believed him to be incapable of becoming a party to so dishonourable a transaction. The charges which related to himself (Mr. Lushington) referred to meetings of his voters at Rochester. It had been stated on the part of the petitioner, that lieut. Dombrain and his father were to go to Canterbury during the election, and charge their travelling and other expenses upon the contingent account, as if against the public service. Was it likely that he should stultify himself so completely, as to commit himself in this open and tangible manner? He appealed to those who knew his character, whether it was likely that he could for a moment entertain such disgraceful intentions? But what was the fact? That very officer on the day charged, was employed by capt. Hanchett himself; as could be proved by his own letter. The hon. gentleman then entered into the particulars of the successive appointments and employments of lieutenants Dombrain, Warre, and Gowland, and of captain Knight, and defended the conduct observed towards capt. Hanchett, whose projects he denominated expensive, wild, and impracticable. He would only add, that his resignation was not received till after his dismissal had been determined on.

Mr. *Bennet* begged to remind the House, that he had disclaimed any personal acquaintance with the petitioner, or with the facts of his case, upon presenting his petition. He had particularly warned him to advance nothing but the pure truth; and the captain had assured him, in reply, that the statement contained nothing but the truth. As to the story of the 6,000*l*., he had explicitly authorized him now to declare, upon his word of honour, as an officer and a gentleman, that there was not one word of truth in it. It was true, that in a conversation which took place shortly before the event in question, a proposition was made by old Dombrain, that the captain on his resignation should have two-thirds of the salary of his appointment reserved to him out of it. Some explanation ensued in consequence, in the course of which Dombrain, the father, said, that if the Treasury did not make that allowance, he himself would make it up; that at any rate he should have one-third share reserved out of the profits of a place which was worth about 5,000*l*. or 6,000*l*. a year, in consequence of the resignation being so much to his son's advantage. The hon. member hoped the House would feel that consideration, at any rate, was due to the case of a man who had relinquished those profits, in the very first act of his appointment, with an honesty which ought to be duly appreciated. He did not know what the artful old Mr. Dombrain might have said, not one word of whose depositions, by the bye, had been communicated to the House; but he knew that captain Hanchett solemnly protested, that, so far from expressing a wish that any arrangement between them should be under the rose, he would not be a party to any one without every particular having been previously communicated to the hon. gentleman opposite. What he complained of in the appointment of lieut. Dombrain was as regarded that appointment three years ago, when he had never seen either duty or service as a lieutenant on board any of his majesty's ships. There was no doubt that so intelligent and active a young man as captain Hanchett described him to be, would have taken good care since that time to render himself efficient. The hon. gentleman reminding the House that at the first outset of this matter he had deprecated the discussion which had ensued, concluded by moving that the petition be printed.

Mr. *Wynn* said, that the extreme length of the petition was a strong objection to the printing of it. The great length of petitions presented to the House struck at the right of petitioning itself, as it would compel the House to make some regulation to save its time. He thought it the duty of every member to impress on petitioners the necessity of compressing their statements. The facts of the petition before the House might have been stated much more briefly and intelligibly.

Sir *M. W. Ridley* could not subscribe to the doctrine of his hon. friend. Every petitioner was bound to make out his case as fully and satisfactorily as possible. In the present instance, however, he was inclined to believe that the petition was incorrect, and that the hon. gentleman (Mr. Lushington) had correctly stated the case.

Mr. *N: Calvert* said, there was an objection to the printing of the petition independently of its length. It contained a severe charge against a member, which should not be circulated until its truth was inquired into.

The *Chancellor of the Exchequer* said, that the denial of captain Hanchett of his proposal to receive 6,000*l.* was wholly inconsistent with a letter of his of the 19th March, to the secretary of the treasury in which he acknowledged that he had, though unintentionally violated the act of parliament.

Mr. *Bennet* said, that capt. Hanchett had acknowledged the fact of a consultation, for the purpose of obtaining an allowance on the resignation of his office, but he denied the fact of any thing of the 6,000*l.* being spoken of.

Mr. *Lushington* argued, that the letter of captain H. of the 19th of March, could only refer to this accusation of his having bargained to receive 6,000*l.* As to the petition, he was willing to make this proposal:—He would lay before the House all the documents which he thought necessary to illustrate the case, and any others which the hon. gentleman chose to call for; and he would leave it to the hon. gentleman, when he had read them, if any shadow of doubt remained on his mind, to make what proposition he thought proper.

Mr. Bennet accepted the proposition; and the petition was ordered to lie on the table.

BARNSTAPLE BRIBERY BILL.] Lord Clive brought up the report of this bill On the motion, "That the Amendments made by the Committee to the bill be now read a second time,"

Sir *Robert Wilson* rose. He claimed the indulgence of the House now, as having on former occasions, in obedience to its wishes, postponed his opposition to the bill until its present stage. He did not feel quite satisfied with its object, which being only the extension of the elective franchise to some 800 freeholders, over the five or six hundred electors of Barnstaple, was not sufficient, he feared, to guard the public against the recurrence of similar events. The mere addition of this number of voters would not, he thought of itself resist the machinations of such a Lothario as sir Manasseh Masseh Lopez. He saw no reason why they should restore to the freemen—freemen they were not—to the salesmen, he should say of Barnstaple, their elective franchise. It was a restoration that was, in effect only the reward of guilt. A fine opportunity was now presented for what he would call, an elementary system of reform. His proposition was, either that one of the counties at present inadequately represented, should have in addition the two members it returned, or that the electors of Barnstaple should be allowed to vote only in the election of the knights of the shire. Since the time of Edward 1st, about sixty boroughs had been created and annihilated; and he thought that they were entitled in these times, where they had justice on their side, in like manner to make and to reject precedents. Let it be remembered, that they had seen thirty unoffending, at any rate unconvicted boroughs in Ireland disfranchised, and the representatives of that country reduced from three hundred to one hundred. There were many men, and he would admit, conscientious men too, likely to be alarmed at his proposition; those who would sanction the most notorious abuses, rather than put in practice any thing like reform; who thought that to amend, was to innovate, and that to innovate was to destroy: who were unwilling to admit that any of the horrors of the French revolution had been caused by the profligacy of its rulers, the corruption of its ministers or the imbecility of its government, because it produced such mighty changes. The government of this country must always depend in a great measure on the authority of opinion, and that authority could not be maintained without showing a respect for popular rights, and a steady observance of the great constitutional compact by which all classes of the community were bound together. A reform was demanded, not upon theoretical principles or for the purpose of gratifying visionary schemes, but from a deep-rooted attachment to the principles of our free constitution. The people claimed it, not in indulgence of theories, but as a security against the mal-administration of their affairs and a safeguard of their liberties. It might be said, that if the House acceded to his proposition there would be no limits to the proposals of the reformers. For his own part, he only demanded such a reform as was suited to the moral and intellectual advancement of the age. His constituents, in whose behalf he spoke, were not advocates for annual parliaments and universal suffrage. They claimed the restoration of triennial parliaments which were withdrawn from them, not on any allegation of their inconvenience, but from the fear of a Stuart faction, and which should have been restored to them when that danger ceased. As to universal suffrage, they thought that whatever was the ancient law, a right of voting founded on that amount of property which could be easily obtained by industry, was more suitable to the present state of society. They looked not only to what was desirable, but to what was attainable. In fixing the place to which he should propose to transfer the right of returning two members, he had some difficulty, as so many unrepresented or inadequately represented places had claims. He however thought that as in the West Riding of Yorkshire there was a population of 563,000 persons very inadequately represented—that as Leeds, in that riding contained above 60,000 people and 11,268 houses—as it had been an ancient borough, formerly disfranchised without any cause assigned in the parliamentary records, he might propose to give that town the privilege of returning two members, without affording cause of offence to Manchester, Birmingham, or other unrepresented places. It was his intention therefore to propose that the amendments be read this day six months, with a view of moving for leave to bring in a bill to transfer the privilege of returning two members from Barnstaple to Leeds; giving the electors of Barnstaple the privilege of voting for the knights of the shire for Devon, and continuing the sitting member in his seat for the remainder of the parliament.

Mr. *Wynn* said, he had in the case of Helston, suggested the propriety of transferring the franchise to the West Riding of Yorkshire, because all the borough had participated in the benefit of the corrupt bargain proved to have then taken place. In Barnstaple, many electors had not participated in the corrupt practices; he therefore thought, that the present proposal for infusing healthy blood into the borough was more just than a bill to divest it altogether of its franchise. He approved too, in the present instance, of the clause to prevent the making non-resident honorary freemen, as the purpose of the bill might be otherwise defeated by the corporation. He suggested that all persons hereafter obtaining their freedom by any means, should not be allowed to vote unless resident.

Sir *J. Newport* approved of the bill before the House. There was no other borough in the four hundreds in question, so that that part of the country would not have an undue share of representatives. The proposal of his gallant friend might be less objectionable as applied to Penryn. The bill which he proposed to introduce was objectionable, if not on other grounds on account of the anomaly, that one member would be left seated for Barnstaple on the old, and one returned for Leeds on the new plan.

Mr. *Martin*, of Galway, proposed, that the bill should be re-committed, to examine evidence, and ascertain how far corruption had prevailed in the borough.

Mr. *V. Blake* said, it did not appear that the whole corporation had been infected with corruption, and therefore he would not inflict a more severe punishment than had been thought necessary in other cases. If the House would consent to recommit the bill, he would move the introduction of certain words which should go to transfer the elective franchise to gentlemen who had freeholds in the neighbourhood, and who were also resident in the borough.

Mr. Alderman *Waithman* said, that the public entertained great expectations that some measure of reform would be adopted, and regarded the present question as a test of the virtue of the House. It was a notorious fact, that corrupt practices prevailed to a great extent, not only in Barnstaple, but in many other places. The elective franchise ought to be considered as a public not a private right, to be exercised for general and not for personal advantage. It could not be denied that our representative system was one of great inequality, that Middlesex, Essex, and Lancashire had not their fair proportion, and that Cornwall sent as many members to that House as thirteen other counties. It was incumbent on them to show a disposition to correct this evil when an occasion was presented, and a gross abuse had been detected. Whatever might be the danger to be apprehended from what were called wild and visionary schemes of reform, he thought this was the period when the House was called upon to punish those acts of corruption which were proved to exist in the return of members to serve in parliament. When the abuses which were known to exist in the different boroughs in Cornwall were spoken of, they were laughed at; yet there was scarcely a member in the House who had not heard of those boroughs being offered for sale, and a price being fixed upon them. He had himself lately heard a gentleman complain, that notwithstanding the depreciation of property generally, the electors of one of those boroughs were so unreasonable as to ask 30*l.* a head for their votes, though the price paid at the previous election was no more than 24*l.* He thought the gallant officer had not taken exactly the right course, and was anxious that the bill should be recommitted, as there were a variety of topics connected with this subject which ought to be taken into consideration before the bill was disposed of by the House.

Mr. Alderman *Wood* animadverted on the alarm which seemed to be excited on the opposite side of the House by every proposition for a reform. He was sorry so little had been said in the course of the present session in favour of a parliamentary reform, but he hoped the subject would shortly be taken up in a proper manner. He concurred with his hon. friend who had just sat down, in the view which he took of the present bill.

Lord *Compton* supported the bill.

Mr. *D. W. Harvey* thought it would be better that the borough should remain as it now stood, rather than it should, by an extension of the elective franchise, be thrown into the power of some few persons of the landed proprietors in the neighbourhood; as he thought that the aristocracy and landed interest of the country had already more than their due influence in returning representatives to parliament.

Mr. *N. Calvert* declared the landed interest had no predominance in that House. He did not believe that it contained twenty members that purely represented the agricultural interest, most of the members from the agricultural counties being in fact returned by the trading interest.

Mr. *G. Lamb* deprecated the idea of considering a measure of this kind in the light of its being a parliamentary reform. The noble lord who introduced the bill, had justly stated it to be for the correction of abuses which had been proved to exist. The House by adopting this measure would not, in fact, do any thing more than enforce the laws against bribery and corruption in the return of members to parliament. Whenever the question of parliamentary reform was brought forward (and he trusted that day was not far distant), he hoped he should not be found backward in redeeming the pledge which he had given to his constituents to support that measure. But here that question was not involved: parliamentary reform had nothing to do with the bill before the House. He was anxious that those abuses should be corrected, but as he conceived that the bill did not go far enough he felt himself bound to support the amendment.

Lord Clive defended the bill; after

which the House divided: For the original motion, 110; For sir R. Wilson's amendment, 12.

POOR RATES MISAPPLICATION BILL.] Mr. Sturges Bourne having moved, that the bill be read a second time,

Mr. *Curwen* said:—Mr. Speaker; It is a painful duty to oppose any measure purporting to be for the relief of the labouring classes. Viewing it as I do, as calculated to increase, rather than diminish, the burthens, as well as sufferings of the working community; I am compelled to oppose its farther progress. I am at the same time ready to do justice to the motives of my hon. friend. He contemplates the measure through the medium of his own active and benevolent attention to the children of his poor neighbours. The general working of the bill, were it passed into a law, would be very different. Fully to comprehend the consequence likely to result from this measure, it is necessary to look to the actual situation of the working orders of society. At the opening of the session, I opposed the re-appointment of the committee. After its having furnished an ample detail of the misery and suffering under the existing system of poor laws, it was the duty of government to have taken the business into their own hands. Efficient relief could only come from them. It may be more convenient for a weak, divided, and unpopular administration to devolve their duties to a committee, and thereby screen themselves from the odium attending a total failure of the plans for relieving the country from the burthens that press so heavily on the community; whilst they promote neither the happiness nor comfort of those who are objects of their relief. That the public are grievously disappointed in the expectation many had formed, must be admitted. I think the blame has fallen most unjustly on the committee. Those to whom it is fairly attributable are the ministers of the Crown. Whilst the nation considers this as the most momentous question, and the one that presses hardest on them, such is the apathy and indifference of ministers, that not one of them has thought it incumbent upon them to attend or give their sentiments on the bill before us. In discussing this measure I must shortly advert to the operation of the 43rd of Elizabeth. Within one century of its passing, the demoralizing effects produced by it were loudly complained of. The legislature, instead of seeking for the causes, attempted a remedy by holding up the parties who received relief to public contempt. Badging the poor for a time produced its effect;—a change of circumstances, and the congregating of numbers into towns, destroyed the feelings of shame, and the numbers seeking relief rendered it impossible to extend it generally. The next expedient resorted to, in modern times, was the terrors of a poor-house, and being forced to abandon every comfort of a home. This has also proved abortive. Pauperism is daily and hourly on the increase. It seems high time to come to a right understanding as to the effect of the poor laws on the mass of the people. The radical evil of this system is, that it removes from the people the care of themselves, thereby destroying that necessary forethought and economy which mixes up the future with the present. Whatever lessens the influence of the present by combining it with the future, has a powerful influence on the moral conduct of mankind. When a whole population, at the very outset of life, contemplate pauperism, it is in vain to suppose they will be disposed to husband their little gains to make any provision for the casualties of life. In the first century after assessments became legalized, the money raised for the poor, amounted to near 400,000*l.*; in the next century that sum was quadrupled. But I wish particularly to call the attention of the House to the transactions of the last thirty years: in this period, the contributions to the poor have been quadrupled. This account so greatly exceeds the march of this dreadful malady in former periods, that it at once indicates that there must have been other causes co-operating to produce so extended a demand for relief. It is a very generally received opinion, that this enormous increase of the burthens of the poor proceeds from the crime, waste, and improvidence of those individuals. Does the right hon. gentleman hold this opinion? I do not believe he does. I conceive it is demonstrable that it is the misfortune, not the crime, of the people of England to be thus universally pauperised. In corroboration of this I should adduce the wages thirty years ago of the labourer, then about 8*s.* per week. During this period the necessaries of life had doubled, whilst wages had only advanced to 12*s.* or one-third. Nor is this all, taxation had trebled, taking 1*s.* a week from every poor family. Now, sir, the House has on various occasions testified its opinion on the depreciation of money, by the additions it has made to the incomes or allowances of the army and navy; nay, to the Crown and various officers of the state. Shall it, then, act with less justice by the people at large? Is the House prepared to deny that taxation and depreciation of money have pressed most grievously on the people, and that their situation is changed most lamentably for the worse? The 8*s.* paid as the weekly price of labour thirty years ago, gave them a command of the necessaries of life equivalent to 16*s.* in the present day.—If this be, as I firmly believe it is, a true representation of the state of the people, can their sufferings be relieved—can the degradation to which they are exposed be cured by any system of regulations such as have issued from the committee? The malady is seated too deep for such remedies. To destroy pauperism, the people must be enabled to live;—an augmentation of wages and an exemption from taxation are the only measures which can restore the labouring population to that independency of character from which they have so lamentably receded. All the enormous sums expended in the maintenance of the poor fail completely to produce either happiness or comfort. Degraded and humbled, the people have lost that respect for themselves so necessary for happiness. The first remedy is to give them a fair competency. From this will result independence of character and consequent content and happiness. I am ready to admit, as a general principle, the inexpediency of attempting to regulate wages. The writers on political economy have not contemplated the state to which we are reduced. Whilst capital and labour bore a fair proportion to each other, there was no necessity for legislative interference. I will not say, as in the case of Coventry, that it was in our power to relieve them; for had the price of their articles of luxury been advanced, the consumption would most probably have lessened. Is this to be apprehended in agricultural labour? Will the consumption of food be lessened? If not, we might at least have established in the various districts a minimum of labour. I should be strongly inclined towards making the experiment to destroy that cruel and impolitic system of making wages that will barely support the single man the standard of labour, and paying the addition to the married man from the poor rates. Thus is the single man completely debarred from making any provision for a married state. He has no motive, therefore, for delaying to settle, and whenever it occurs he must be pauperised: thus are improvident marriages encouraged and promoted. —Great as is the enormous sum raised for the poor, it must have been infinitely greater, but from a remarkable change which has taken place in the food of the labourer. Within these thirty years potatoes have become the food of the people. They must otherwise have starved on the wages they received. The distresses and difficulties which oppress the labouring classes must naturally dispose them to avail themselves of any expedient of relief, however revolting to their feelings in better and happier times. The present bill holds out a prospect of maintenance for their children. The worthless may accede to this without remorse—the honest and industrious may be driven to accept it through necessity. Is not the principle of this bill completely in unison with the demoralizing principle of the 43d of Elizabeth, creating dependence and thereby undermining exertion? Does it not degrade still farther the people, by proposing to pauperize the rising generation at the very outset of life. The apology for all this is, the education proposed to be given. But he would ask, were not the children of the poor educated now in every part of the empire? Since the introduction of the new system of teaching, education was placed within the reach of the poorest person. Nay, if its blessings were not felt and appreciated by the parent, its universally recognized economy, and the saving of apparel, more than paid the sum for teaching. But, were this not the case, was the education of the mind to be alone considered, was the formation of the heart by those lessons of tenderness and affection which were ingrafted into the disposition by the intercourse of paternal affection, and which were of the utmost importance in forming the moral character, to be disregarded? Could one only of these be obtained, I should prefer the latter, as most likely to produce the most valuable character in that station of life. I conceive the effects of this bill would be to augment premature marriages, whilst it would rob that class of society of their chief and greatest source of happiness. The scale of human happiness is much more equal than by many is supposed. The children of the poor are to them a greater source of happiness, than to the higher orders. Blessed with health and probity, they have no fears for their future life. All the care and anxiety that attend the provision for a family in the upper ranks are here escaped. I am not for interfering with their affections or comforts. I am not willing to offer them a temptation which, however reluctantly their feelings would yield to, their necessities might compel them to comply with.—Such is my view of the operation of this bill. It is impossible the country can much longer endure the state to which it is reduced. If in the last thirty years the burthens of the poor have increased four-fold, or reached to a sum little short of a third of the whole real income of the country,—what a few years more may bring it to, I dare scarcely contemplate. The whole property and industry of the country is in jeopardy, if some effectual remedies be not found. These I conceive to be a removal of taxation, and a fair and reasonable addition to the price of labour. Already the ultimate payment comes from the land. Poor rates are calculated by the farmer as would be wages. No greater burthen could be brought on property. But the sums now paid in the shape of relief, if awarded as the fruits of honest labour, would produce a great and powerful change in the moral feelings of the people. It is to this point our labours must be directed. The demoralization of a whole people must produce its destruction. As such a measure as the one before us can only increase the evils we suffer, I shall therefore oppose its farther progress, and move that the bill be read a second time on this day six months.

Mr. *Philips* objected to the bill on two grounds; first, that it would act partially on the respectable poor of the country; and secondly, as it would give magistrates a power of taking the children of the lower classes from their parents without their consent. No greater encouragement could be given to improvidence and want of industry than this: it would also have the effect of destroying those filial and parental feelings which were the great bond of union in society. Under these impressions, he felt himself called upon to oppose the bill.

Mr. *Brand* said, the evil of the present system consisted in this—that the funds were apportioned, not according to the labour done, but according to the distresses of the individual and his family. The immediate consequence of this was, a general discontent and a disinclination to work among the lower classes. For what poor man would work if he knew he could obtain a certain support for his family from the parish? The effect of this bill, then, would be, to pay the labourer according to the work done, and not according to his necessities. He thought also that improvident marriages would be more decreased in number by the system proposed, than by paying the labourer, as now was the practice, in proportion to the number of his children. It had been said, that it would be cruel to take the children away from their parents; but the fondest parents had almost invariably adopted, for many years, the practice now proposed, namely, that of sending their children to public schools. He thought the bill, then, calculated to produce the most beneficial effects among the lower orders of society. The poor would be educated in principles of morality and religion, and apprenticed out to trades; by which they would be made useful members of society, instead of their growing up in sloth and ignorance, as was at present too frequently the case. If the bill was found not to be a remedy to the existing evils, recourse could be had to the existing system: but at all events it ought to have a fair trial.

Mr. *Shepherd* contended that the bill had an inevitable tendency to increase population, and extend pauperism. The only effectual bar against improvident marriages was the difficulty which presented itself to parents, of providing for their children. Take away that bar, and improvident connexions would be formed, which would infallibly increase pauperism. Besides, the present bill was infinitely worse for children than the present system. The father at present was the only pauper; but by this plan the mind of the child would be degraded by feeling that he also was a pauper. He approved of the last clause which went to prevent the price of labour being paid out of the rates.

Mr. *Ricardo* opposed the bill, principally on the ground that it tended to increase the population. If at present there existed a difficulty in supporting the poor, in what situation would the country be placed in twenty years hence, when these children so educated grew up to manhood? The bill was only the plan of Mr. Owen, in a worse shape, and carried to a greater extent.

Mr. *Ridley Colborne* said, that the labouring classes were weighed down by a heavy indirect taxation, and were therefore compelled to apply to the parish for relief. By the present system a certain sum was paid to the parent, who might apply it either to his own gratification or to the maintenance of his family. The claim set up for relief was generally the distress of the party; but it was difficult, in many cases, to ascertain whether that distress was occasioned by misfortune or by imprudence. When the hardship of taking children from their parents was so much dwelt upon, as a ground for opposing the bill, it should be recollected, with how much difficulty and pain the rates were, in numerous cases, collected, and the small link there was between the person paying, and the one receiving the rate.

Lord *Milton* admitted that this bill might have the effect of deterring the provident, the sober, and the industrious, from early marriages: but could it be expected to have the same influence over the profligate and the indolent, whom it was most important to restrain? He thought the provisions of the bill most unjust. Many persons had been born under the present system, who had now arrived at man's estate: and were these, at the close of a five and twenty years' war, during which the poor had displayed more attachment to the higher orders than had ever been known before, were these now to be rewarded with this bill, and to be told, that, after all the exertions they had made, it was the pleasure of the higher orders to break through the long-established system, and determine that that provision should no longer be made for them from the poor rates, on which they had been taught to depend? He should certainly give this bill every opposition in his power, and he wished that besides rejecting it, some mark of reprobation should be set on it by the House.

Mr. *W. Courtenay* was surprised at the language which he had heard applied to this bill. Every one in the higher classes of society must feel how much the conduct of the lower orders had merited their praise; but it was a little hard on those who had applied themselves to devise a measure to remedy a great evil, that they should now be charged with injustice and cruelty. But, while some objected to the measure for its harshness towards the labourer, others complained of it as holding out too great a *bonus* to him, and thereby encouraging improvident marriages. To him the bill appeared to take a middle course, and to deserve neither of the reproaches which had been bestowed on it. He hoped that after the bill had been a short time in operation, it would have the effect of teaching the labourer to exert his energies in his youth, to make some provision for a more advanced period of life, and of deterring him from improvidently marrying. The relief it afforded to the poor, though less palatable to the party receiving it, would, in its effect, prove more beneficial to society. He should therefore give the bill his most cordial support.

Mr. *Western* opposed the bill, and thought it had the appearance of coming from those who wished to perpetuate the present poor laws, rather than from those who were anxious gradually to abolish them.

Mr. *T. Courtenay* defended the bill, as embodying two valuable principles. It said to the labourer, "though our code of poor laws is such, that we are bound to save a poor child from starving, we shall do that in such a way as to prove that it is not intended to supply your deficiencies—that it is not done out of kindness to you. That was one important principle. The other which this measure went to establish was this—it divided wages from poor rates.

Mr. *Hume* disapproved of the bill. Until the country looked the evil fairly in the face, and taught the labourer to depend more on himself, no adequate remedy could be supplied. This measure, if passed into a law, would increase the evil. He wished a course to be taken in this country, similar to that which had been adopted in Scotland, where, if a woman had an illegitimate child, she was obliged to maintain it. What followed? She was careful not to repeat the fault she had committed, lest she should bring into the world a second. In England, women frequently threw two, three, or four children on the parish. He had hoped the hon. gentleman, in bringing in this bill, would have gone the length of declaring, "that from and after the passing of this act, no child legitimate or illegitimate should be entitled to a maintenance from the parish." Such a course, if taken, would strike at the root of the evil, and such a measure he still hoped to see introduced.

Mr. *Primrose* objected to the bill, as calculated to pepetuate the evils of the present system of poor laws.

Mr. *Wynn* complained of the absence of ministers on so important an occasion. Though he objected to some of the clauses, he approved of the general principle of the bill.

Mr. *L. Wellesley* approved of the bill.

Mr. Alderman *Wood* objected to the bill, on account of its dragging children from their parents to bring them up at the expense of the parish.

Mr. *Mansfield* was of opinion, that nothing but patience could remedy the evils brought on the country by the protracted war in which we had been engaged, and that all the palliatives the House could apply would prove of little avail.

Mr. *S. Bourne* defended the bill, and contended that the opposite arguments urged against it ought to be held to destroy each other. There was nothing of harshness in that provision of the bill which went to separate the children from their parents; as persons in a higher station submitted to such a separation from choice, and sent their offspring not merely to another part of their parish, but to distant places, and even to remote countries. He was of opinion, that the effect of this measure would be, to spare many parishes half the applications which were now made. It was to be feared the habits of the present race of labourers were so formed, that it would be no easy task to effect in them that change which could be wished, and therefore he held it to be wise that the House should look to the rising generation. In them it might be hoped they would succeed in exciting a spirit of industry and independence, which it might be too late to revive in their parents.

The House divided: For the motion, 47; For the amendment, 22. The bill was then read a second time.

## HOUSE OF COMMONS.

### *Tuesday, May* 18.

MARQUIS CAMDEN'S TELLERSHIP BILL.] The Chancellor of the Exchequer presented the bill "to authorize the receipt and appropriation of certain sums voluntarily contributed by the most noble John Jeffreys Marquis Camden, in aid of the public service." On the motion for the second reading,

Mr. *Fremantle*, not having been present at the time the subject was introduced, took that opportunity of expressing his admiration of the conduct of the noble marquis. He also called the attention of the House to the public spirit of the late marquis of Buckingham, who, when teller of the exchequer, had sacrificed the whole of his profits for three years previous to his decease.

The *Chancellor of the Exchequer* joined in the praise bestowed on the marquis of Buckingham, and had no doubt, that if he had survived the war, he would have continued to apply a great proportion of the profits of his office to the public service.

The bill was ordered to be read a second time on Friday.

STATE OF THE NATION.]—Mr. *Tierney* said, that he rose in pursuance of the notice which he had given, to move for the appointment of a committee on the State of the Nation. In doing so he felt it necessary to throw himself on the indulgence of the House, since he feared he should be compelled to trespass for a considerable time on their patience. That indulgence, however, he had so often experienced on occasions of less importance, that he hoped it would not now be withheld. The best return he could make was to consume as little time as possible in the way of preface, and he should accordingly at once proceed to the question. His motion would be, that the House should resolve itself into a committee on the state of the nation. He was aware that if he acted only as a party man (and such, notwithstanding the odium which might attach to the confession, he was always ready to avow that he was), he should have abstained from bringing forward this proposition; because he was not so dull as not to perceive, that in bringing the question before the House, in point of mere party, he was giving up many advantages: he could hardly see how it was possible for the party (for they too he supposed must be considered a party) to which he and his friends were opposed, to stand in a situation less to be envied than at the present moment. It was difficult to imagine how any set of men could have been more cuffed and kicked about, and have taken the infliction more patiently, than the right hon. gentleman opposite with thenoble lord at their head. In that respect they had displayed the utmost fortitude and forbearance; and if his wish had been only party triumph, he could not have done better than leave them alone: for an administration more lowered in the respect of parliament, or more degraded in the estimation of the people, was certainly never exhibited to public observation. The mind of man could not conceive an administration more dead to all the feelings by which persons in high stations were ordinarily governed: governed by no principle, and attached to no system; exhibiting no symptom of vigour, but vigorously maintaining themselves in their places, they made such a figure in the eye of the world, that instead of being objects of admiration and envy, they sunk into objects of compassion and contempt. They had brought forward nothing—nothing of real importance; unless, indeed, some persons might attach a value to the fine fallacious speeches with which the House had been treated and the country deceived. Measures had been proposed by the opponents of ministers—measures of the utmost consequence to the welfare of the nation, and which they, as a matter of course, had resisted: yet, at last, they had been driven into concession, and it was almost left to their antagonists to administer the law of the country. For instance, in the case of the proposed inquiry into the state of the penal laws, the ministers had declared that if the motion was carried, ruin must ensue—that we might as well give up the administration of the penal laws altogether—that all the reverence for criminal justice would be gone. The inquiry into the penal laws was, however, entrusted (and in what better hands could it have been placed?) to his hon. and learned friend, the administration of criminal justice was not impeded; and the noble lord and his worthy colleagues bore their defeat most patiently. In the same way ministers had declared, that if the system of Scotch burghs was investigated, nothing would be safe—the constitution of the empire would be endangered—no man could say that his person or his property was secure—a revolution would be almost commenced—the wildest doctrines of reform would be let loose upon the country; and, in short, every national calamity would ensue, if the inquiry were carried: but it was carried—carried against the utmost strength of ministers; and they contrived, notwithstanding, to retain their places. He could, in fact, go through a string of defeats they had successively sustained, were it necessary; but no man could be so blind as not to see that opposition, as a party, stood upon such vantage ground, that, as a party, by the present motion they had nothing to gain. But he had other duties to perform besides those of party—duties to the country, and they ought at all times to be held paramount: with this view, he was willing to forego any little advantages he might otherwise possess, and to place himself in a situation of difficulty and embarrassment, in order to discharge consciensciously the high and paramount duty which the country had a right to claim.

It seemed of late as if the noble lord and his friends had thought that they had no duties to discharge but to sit firmly in their places; but it would not do in these times to keep ministers merely to be looked at: if they put themselves in high responsible situations, if they were to govern a great empire, they ought to maintain their own dignity, and that of the empire; and if they did not, it was the business of the House to interpose. If ministers would not take care of their dignity, it was for the House to take care of its own; and for that purpose, he wished it to take a view of the real state of the nation with reference to the king's ministers. If there had been but two parties opposed to each other in the House, the issue of his motion would not be very doubtful; on the one side there would be nothing but zeal; and on the other, the whole weight of official attachment, and the influence of the Crown: but he now spoke in a House of Commons (having sat and spoken in very many) to which had been returned a larger proportion of men connected with no party than he had ever before remembered; they were a description of persons who professed, (and who had shown that they acted upon those professions) that they would vote without reference to either side of the House; and that they would weigh measures, and not men. He trusted that they would not be found wanting in trimming the balance at the end of the debate, and, if he made out his case, in giving him that support to which he should be entitled. He had to establish two propositions: first, that the present state of public affairs was full of difficulty, danger, and alarm, requiring prompt and vigorous councils; and secondly, that under the circumstances of the times, it was the duty of the House to do what was certainly unusual—namely, resolve itself into a committee on the state of the nation; not considering such a proceeding as a forward and officious interference, but as a measure strictly called for by the situation of public affairs. In making this proposal, he was not asking any gentleman to lend him his aid in thwarting and embarrasing the vigour, system, and energy of the executive government; but he was requiring him, where there was no vigour, no system, and no energy, to interfere between a weak administration and a tottering country, by discharging the most important duty an honest member of parliament could perform. Wherever he cast his eyes, he observed that all the principal nations of the world had been for some time past engaged in endeavouring to repair the inroads made upon their finances by war, and to arrange and husband their resources for future emergencies. It was clear beyond contradiction, from the foreign papers—the only sources of information he possessed—that the states of the continent had all turned their attention to financial subjects; yet we, and it was a melancholy thing to say, who had much more to restore, and a deeper interest in restoring, were the only nation whose government had not devoted one moment's consideration to that great topic. Undoubtedly his chief purpose was limited on this occasion to matters of financial arrangement; he did not mean to occupy the time of the House by discussing subjects of a different kind, nor should he touch upon foreign affairs more than as foreign affairs bore upon the particular question; to that extent, however, he hoped he should be allowed to make a few observations. The world at this moment, blessed be God, was in a state of profound peace, and long, long might it continue; but, notwithstanding the exertions of the noble lord and the other ministers of the great powers, Europe was not in that condition in which the most sanguine could venture to look forward to a certain duration of tranquillity. In truth, the whole state of Europe, as far as Great Britain was concerned, had been totally changed—whether for the better or worse he did not stop to inquire; but the situation was indisputably new to this country. Heretofore we had supported alliances with various powers, in order to be better able to meet the possible hostility and machinations of other states; but we were now one of five powers who took upon themselves, whether properly or improperly he would not discuss, to settle the destinies of the continent. Whether we had any allies particularly connected with and bound to us, was more than he was able exactly to discover; but of this he was quite sure, that the great interests of Europe were in the hands of five states by means of the recent addition of France. Originally they had only been four who had first thought it their duty (and he did not pretend to quarrel with the decision) to impose upon France the galling yoke of maintaining foreign troops to preserve order and to maintain the reigning family. It appeared, however, that France had behaved so well, she had conducted herself so much to the satisfaction of her four masters, that at Aix-la-Chapelle they had determined to take her into partnership, and she now constitutes one of five powers, among whom Great Britain had one vote and no more. Upon this he had only to remark, that it was at least an uncertain state; the parties appeared to be bound by nothing but professions, which he hoped in God would be fulfilled—by a "holy alliance," which he trusted would be as sacredly observed as it was piously worded. But these things were most precarious, and a reference to one circumstance must convince every body that they were so; viz., that when France was freed from the burthen of foreign troops, and she was called upon to be one of the five powers, the gracious communication was made to the duke de Richelieu, with many compliments from the sovereigns, which no doubt were well deserved: she was, in fact, invited to accede to the confederation, much in consequence of what had been done during the administration of the duke de Richelieu; it was therefore to be supposed that the potentates and their ministers were well acquainted with the line of policy one of the five powers would pursue; but no—in one little month after the troops had withdrawn, the duke of Richelieu was dismissed from his office. This brother ally, this fifth power, no sooner was at liberty to act for itself, than its line of policy was most materially changed, and the ministers of the different states having thus shown themselves to be utterly ignorant of the policy of perhaps the most important member of the alliance, were left to wonder at what they had never foreseen. Did this or did it not show, that at least the existing state of Europe was involved in great uncertainty? He did not blame the noble lord—it was the last thing in his contemplation to provoke a hostile discussion on the subject of his conduct at present; there might be a time for that hereafter; but could the fact he had stated be contradicted, or the conclusion he had drawn from it be denied? He begged to ask for what did Great Britain go to war? Was it not to control the power of France? It would be said that she became more dangerous from her revolutionary influence? True; but the great and avowed object was, to deprive her of that great predominating preponderance by which she might be able to convulse the whole frame of Europe. What, then, was the state of France at this day? Was not her commerce reviving, and were not her finances arranged and improved very much by the assistance of England? Did she not now enjoy a free constitution? and in the name of humanity he thanked God that she did. Had she not a limited monarchy, and could not the people now speak through the voice of a representative assembly? All these were blessings recently bestowed upon France—blessings purchased by long and grievous suffering; they were not the reward (that was not the fit term to employ), but the result of her sacrifices, not only of blood, but, he would fairly admit, of character; for the restoration of which, years of good conduct would be needed. But could it be denied, that there she now stood in a much more formidable position than any man two years ago could have expected? He begged not to be understood as saying this with any feeling of jealousy towards France; or under any dread of her approaching hostility; he most devoutly prayed, that the triumphs we had gained might not produce in the mind of a proud and brave nation any thing beyond an amicable and laudable rivalry; at the same time we were bound to recollect that France was our rival, and that one day she might again be our enemy. It was our duty, then to imitate her example, and so to manage our own affairs as to be prepared for any unexpected change. He might easily enlarge on the situation of the Netherlands and other kingdoms, but his object was not unnecessarily to consume time, and if he had communicated to the House the idea he entertained, that the state of our foreign relations was such as to render necessary some arrangement of our affairs at home, what he had said would answer all purposes. There was, however, one foreign power out of Europe to which he must direct the attention of the House, with the same view as that with which he had mentioned France —he meant America; she was out of the pale of confederation; with her we had a separate treaty of peace; towards her we had long cast an eye of jealousy, and it well became us to be prepared for the worst. Let the House consider only what had happened in the last three months. Two British subjects had been executed by an American commander, under very suspicious appearances. There might be circumstances warranting his conduct, and justifying, according to the law of nations, the approbation which his government had expressed; but he was old enough to remember the time when, had two British subjects been executed by a foreign state in time of peace neither the administration nor the people of this country would have put up with it quite so tamely. He knew the subject was a sore one, and did not wish to press it farther; he was far from wishing it to be supposed that he meant to blame ministers for acting so cautiously; in conducting themselves with prudence they had discharged the best duty they could under the circumstances perform. He hoped, however, that he had not done amiss in just noticing the point as bearing on this question—whether Great Britain ought not to be placed in a condition, if necessary, to defend her rights? Next came the subject of territorial aggrandizement, regarding which ministers seemed to feel no concern. While the noble lord opposite was at congress, two German princes could not have exchanged a few meadows without important expresses being dispatched to him. But America owned no congress: because she was a long way off, ministers seemed to think that danger could not be near. She had obtained from Spain, the Floridas, and had thus been allowed to take up a position on a vast continent as injurious as possible to the colonial returns of this country, putting them in imminent and undeniable jeopardy. It was to be supposed that some representations had been made by ministers on the subject; and here again it would be unfair to find fault with their tone and temper, so very very moderate. Nothing certainly could be more absurd, than, at a moment when we could do little, to talk of doing much; it was, however, necessary to advert to this circumstance to show the difference in the conduct of a nation with impaired, and a nation with untouched resources. Let the House and the country reflect then, if it was not the duty of government to do something to prepare the empire for possible mischiefs that might arise even from France and America: its only security was in its preparation; and though it was very difficult to draw the line where wise prudence ended, and abject submission began, yet that point did exist, though he hoped in God Great Britain would never be driven to the extremity of being obliged to find it. It was our first and paramount duty to satisfy all the world that our object was peace; but it was fit, also to satisfy it, that we spoke from the love of peace, not from the dread of war, and our inability to sustain it. Peace procured on other terms was only hostility postponed—postponed under the most disadvantageous circumstances. To enter upon a war with an impaired national character was a great calamity; national character, in truth, was every thing to a people, and we ought always to be prepared to maintain it. In this country he knew of no substantial preparations on which reliance could be placed in the hour of need; it was not an unwieldy military establishment, not colleges for the education of youth in habits merely military, that could be of real service in case of a sudden attack: a well-manned navy, and a well-filled exchequer, were what Great Britain ought to confide in; then, indeed, her safety would be placed upon a rock which no confederation, no congress could shake: with a fine navy, and flourishing finances, she might set the whole world at defiance.

If he had thus far succeeded in making his meaning intelligible, it was unnecessary to dwell farther on this part of the case: if he had impressed upon the House, that the situation of the country with foreign powers made it necessary that no time should be lost in the arrangement of our financial situation, he had now to examine how the internal affairs of the country had been conducted since the peace, and how far the tendency of the system of the ministers was, to strengthen our financial situation. One of the great charges he had to bring against ministers was, that from the hour the treaty of peace was signed, they had entirely neglected every measure to improve the internal situation of the country. He knew of nothing they had attempted, much less accomplished. He would first consider the situation of the trade of the kingdom, on which it was unnecessary that he should dwell, because a reference to the evidence given before the secret committee on the Bank would establish nearly all he wished: the most intelligent merchants had given it as their opinion, not that any particular branch of trade had experienced an interruption, but that there existed a general and unqualified stagnation. One reason for this calamitous state of things perhaps was, that ministers, in all their negotiations with foreign powers, had never thought of any thing in the shape of a commercial treaty; he knew of but one commercial treaty they had effected, and that was with America—a treaty, if it merited the name, which had scattered more dismay among those connected with Newfoundland, than any other that had been entered into in the annals of our history. Certain bounties had, however, been granted to the merchants to prevent their being actual losers, but what was to become of the country at large, seemed to the noble lord and his colleagues a perfect matter of indifference. Thus our only commercial treaty was one by which the nation was most seriously injured. He had a bad memory, and should be glad to be reminded of any other commercial arrangement made by the British government. One opening, indeed, had offered itself, which he had hoped that ministers would have embraced—he alluded to the struggle of a brave and generous people for liberty. Independent of the sympathy which Great Britain, as a free country, must feel in every contest for liberty, independent of the ardour with which she would be inclined to aid the oppressed, it would not have been extraordinary if ministers, merely upon mercantile considerations, had looked towards South America, as a vent for our trade. Yet they had not only done nothing, but they had done worse than nothing. They had done their utmost to prevent the success of those by whose triumphs we might be benefited; for a bill was now depending, calculated to exasperate the whole mass of South Americans, and to destroy every hope of commercial advantage. At the moment when our manufacturers were starving, and when a distant prospect was afforded of alleviation for their distresses, they were deprived even of the consolation of hope, and were told that the government was about to adopt a bill that would inevitably throw the whole trade of South America into the hands of their rival. Therefore, he contended that ministers had done worse than nothing; they had neglected every opportunity of doing good; they had pursued only what was base in principle and injurious in practice, and had thrown aside all those considerations of generosity and policy, and love of freedom, which formerly were the prime movers of the British cabinet.

He would now advert to the finances of the country, considered strictly and drily as its finances; and in doing so, he could assure the House, that he should occupy but a small portion of its time. He had originally occupied himself much with the details of this part of the subject, but he found, that they were so minute and complicated, and that it would be necessary so long to intrude on the indulgence of the House, and at last perhaps without making himself intelligible, that he had at length determined to give it up as hopeless, and to content himself with a few leading facts. He would commence his observations with the year 1816, when the peace was consolidated, for it seemed difficult to determine whether 1815 was a year of war or of tranquillity; he would speak, therefore, of the period from the 5th January, 1816, to the 5th January, 1819, which would afford a fair sample of what was to be expected from ministers on the subject of finance. Upon this subject the production of papers had an aukward appearance, but he was obliged very briefly to resort to them. On the 5th of January, 1816, the total of the funded and unfunded debt amounted to no less than 860,000,000*l.*: and with this fact before them, it was to be expected than any ministers, anxious to discharge their duty, would lose no time in coming to some arrangement capable of coping with so formidable an adversary. A proposition was indeed made to the House, in shape of a suggestion, for continuing the property-tax: they urged the absolute necessity that it should be continued for a certain period, and upon it they rested all their scheme for remedying the prevailing evils. Thus for the first and last time ministers seemed to have committed their financial opinions decidedly; but to their infinite dismay, the property-tax was rejected by the House. What followed? Did the ministers resign? Of course, nobody expected that of them. Did they produce any other project instead? None at all; but like angry boys, because the property-tax had been taken away from them, they threw the malt-tax after it. What next? Then they resolved to have no plan at all; and from that hour to this, he defied any body to show, that any thing like a financial plan had crossed their ill-fated imaginations. When they had lost their darling, the property-tax, they most unanimously resolved, that they would live the rest of their time (which no doubt they offered prayers to Heaven might be a very long period), upon the bounty of the Bank of England, or trust to what was still more familiar to them, the chapter of accidents. In that year they borrowed 9 millions of the directors of the Bank of England, and postponed the payment of 3 millions which was due to that body; and at the same time they continued the Bank restriction for 2 years—that is to say, until 1818. Thus ended the whole financial scheme for that year. In the next, things looked flourishing—nothing was talked of but prosperity and congratulation: the most astonishing hopes were publicly held out in the speeches of the noble lord, and the chancellor of the exchequer. In short, such speeches were made as he had never heard before, and perhaps might never hear again. Stocks were to be at par; the 5 per cents were to be paid off immediately, the 4 per cents were giving way fast, and threats were held out even against the 3 per cents. Regarding that stock, he well recollected putting a question to the chancellor of the exchequer. He begged that that right hon. gentleman, who was rather to be considered unfortunate than guilty, would not suppose that he was making any attack upon him: he was, in fact, a very ill-used gentleman, and was thrust forward to bear the blame of a great deal with which he had had no concern. He was to be compassionated, not punished, as he was only the mouthpiece of administration on the subject of finance: the noble lord and his friends were, in fact, only responsible; and it was very unkind in them to make the chancellor of the exchequer the object of public reproach, when they ought at least to share his disgrace. However, when the noble lord, and the right hon. gentleman made the speeches to which he had just adverted, he gave them credit for believing that every thing was flourishing; they thought that the day was fast approaching, when they should be able to pay all incumbrances: they were told so by gentlemen out of the city, and having no knowledge of their own, they took the fact for granted; they really intended to pay off the 5 per cents, though in his deliberate opinion, to do so would have been a fraud upon the holders: they had lent their money in the faith of the growing prosperity of the country; and if by artificial means—means he knew to be artificial—ministers succeeded in raising the price of stocks, and paid them off, he had no difficulty in saying that it would not be an honest transaction. The false hopes the government held out had had the effect of imposing upon some old women, and very few of them, who feared their incomes would be reduced if the 5 per cents were paid off; but the great mass of persons with whom the right hon. gentleman was in communication, saw much better than he did, how matters really stood, and by keeping their money in that stock, had been considerable gainers by the delusion. With those speeches, however, the country was carried over 1817; and there being a deficiency of 12 millions and a half, that sum was borrowed on exchequer bills. In 1818 the story of flourishing finances was repeated—the phantom of prosperity still danced before their eyes, but as unsubstantial as ever: paying off was still talked of, and even in the report of the committee of finance of this very year, if he was not mistaken, it was stated that they thought the time was not very far distant when a great saving would accrue to the country from the difference between the present rate of interest, and that to which the debt would be subject by-and-bye. It might be said, that in the last year the chancellor of the exchequer had had the courage to introduce a new plan; but it was only temporary, only for the service of the year. It was the creation of a three and a half per cent stock, which in some unexplained and inexplicable mode was to break the fall of the 5 per cents; then came the payment to the Bank of the 9,000,000*l.* borrowed; but that was postponed for another year, and the restriction was continued until July next. At that time he (Mr. Tierney) had brought forward the subject of the Bank, and had proposed the appointment of a committee to inquire: but it was of course resisted, on the ground that it was unnecessary. Some gentlemen urged even that the House had no right to investigate the subject; yet in the present session, the committee had been appointed, and had made its report, by which, however, one whole year had been lost. Why it had been refused when he had proposed it, he could not divine, unless it were that the motion came from the wrong side of the House. A bill was afterwards brought in to extend the period for resuming cash-payments. The Bank, however, were not pleased with the right hon. gentleman's plan—and he was obliged to alter the preamble of the bill which he introduced with reference to the continuance of the restriction. The preamble, as it originally stood, he gravely declared, was placed in its situation through mistake. The new preamble set forth, "That unforeseen circumstances rendered the measure necessary." Now there were no unforeseen circumstances—there was no secret. The evidence given before the Bank committee, which was now public, showed that the loans with France were known at the time, and that the Bank strongly remonstrated against the measure.—In truth, the difficulty at that period arose, not from unforeseen circumstances, but from pursuing a course which the Bank did not approve of. Here then terminated the history of the last three years, and he would at once put it to the House whether any thing more contemptible could be imagined? This was the result of three years of profound peace following a war of painful sacrifices and unexampled burthens. He found in consequence, that on the 5th of January of the present year, 1819, the whole amount of funded and unfunded debt was 845,000,000*l.* or in other words, there was a decrease of 14,000,000*l.* and no more since the year 1816, when it amounted to 859,000,000*l.* He could not go into the subject of the sinking fund, and contemplate our situation with reference to it, without troubling the House with a statement of many figures; he should not therefore regard it in that view, but content himself with reminding them, that this 14,000,000*l.* of reduced debt included all the reductions in the navy and ordnance.

In addition to these assets must be reckoned an excess of grants and arrears of property-tax, amounting together to a sum of 8,460,000*l.*, which would leave a balance of actual reduction on the three years of peace of but 5,540,000*l.* So that the debt actually stood at 845,000,000*l.*

without any prospect of its being materially diminished. In the Report of the Finance committee of the present year, they had the estimate of the next, precisely in the same way as if from the noble lord or the right hon. gentleman himself: for every person who heard him must, he presumed, be well aware that the reports which they were in the habit of receiving from the committee of finance, were, in point of fact, reports furnished by the right hon. gentleman. It was true that the committee had a chairman, who was called a member of that House; but their reports contained the sentiments and views of another person, who was called the chancellor of the exchequer; the only difference being, that the mouth of the former was made use of instead of his own, as the organ of the right hon. gentleman. By the last report it was stated, that there would be a surplus of 1,900,000*l.* on the present year, but that in the course of the two succeeding years that surplus would probably amount to 6,000,000*l.* According to this calculation, therefore, we should, after five years of peace, have lessened a debt of upwards of 800,000,000*l.* to the extent of 12,000,000*l.* only. Was it not, then, time for the House to interfere, nor longer suffer the best interests of the country to be sacrificed, merely because we had a ministry who were too weak to propose or carry any of those measures which the alarming situation of affairs required? What must be the consequences if in such a situation a renewal of hostilities should become unavoidable? Let them advert for a moment to the state of the consolidated fund, which was now in arrear to the amount of 3,300,000*l.* per quarter. The right hon. gentleman would also require 2,700,000*l.* to make good his repayment to the Bank, so that the entire charge on the consolidated fund would then be 6,000,000*l.* Let the House consider that the regular payment of the dividend must, under such circumstances, depend on the good will of the Bank. If they should think proper to withhold their advances, the right hon. gentleman might as well attempt to raise the dead as to raise the money. Such was the miserable situation of our finance minister! Ought this condition of things to exist, and ought the rights of the public creditor to have no better security in a time of profound peace? He did not suppose that the Bank would refuse an assistance which it would be both their interest and duty to afford, but the right hon. gentleman was at their mercy. In the course of the last year, no less a sum than 27,000,000*l.* were funded, —a new description of stock created, without providing for the interest, or establishing any sinking fund for its gradual extinction. He did not wish for the disclosure of any secrets, but apprehended that the right hon. gentleman had it in contemplation to contract for another loan of perhaps 22,000,000*l.* or 30,000,000*l.* of stock; so that in three years of peace there would be a new debt of 50,000,000*l.* created, and without providing for the interest of the last loan! He had heard, indeed, that the imposition of new taxes was intended. It was rumoured out of doors, that it was not intended to touch the sinking fund, but to impose new taxes. But if this were the case, what a melancholy prospect for the country, that, in addition to all the burthens under which the country laboured, it was to be subjected to farther taxation, amounting, perhaps, to little short of three millions. If the necessary means should be taken from the sinking fund, all that he should say was, that there would be an end to the small surplus which yet remained; but if they were to be raised in the shape of new taxes, the matter became still more serious. He would now give notice, that he would not consent to vote a single halfpenny until the finances of the country were placed on some stable and intelligible footing. He would not consent to goad and blister the people of this country any farther, until some safe and rational system of extricating them from their difficulties should be pointed out; for to go on from year to year as we had done, adopting one temporary expedient after another, could serve no purpose but that of maintaining in their places an incapable administration. He trusted that in his opposition to all such attempts, the House would, as he was sure the country would, stand by him, and give him its support. He had hoped before this time to have seen some general arrangement effected, by which, at whatever sacrifices, provision should be made for the removal of our difficulties; but his majesty's ministers had turned their backs on the prosperity and solid interests of the nation; their whole policy consisted in fostering delusion; and producing fluctuations in property and currency, which though undoubtedly advantageous to some, were the destruction of many. The effect of their system, if system it could be called, was, to bring odium on our general character, by subjecting us to the reproach of being a nation of gamblers and jobbers. The public funds had been found to fluctuate from 61 to 83, and from that to 72, which naturally occasioned a corresponding change in every description of property. It was very natural and proper that private individuals should endeavour to enrich themselves at the expense of their neighbours—he meant no reflection on them—the responsibility belonged entirely to the ministers of the crown; but the result of such practices was, that no man in the country knew the situation or value of his own property. All men now understood that the Bank were to be repaid, but in what manner no man could tell; rumours of the most various kinds were every where afloat; all the changes were rung upon this plan and that plan, and speculation had a boundless field for its exercise; but was it not disgraceful to a great country, that property should be rendered thus insecure? He did not mean insecure from violence, but insecure by the irregular and artificial schemes devised for carrying on the financial operations of the government. He lamented that insecurity the more, because, as he had already said, he believed that by wise and vigorous arrangements we might replace our finances on a stable footing. His majesty's ministers, however, would not do this, and therefore he called upon the House to do it for them. He begged the House to reflect, if any jar should happen in our foreign relations, if hostile negotiations or an armament should take place, what, with a debt of 840,000,000*l.*, would be the situation of the stock-holder? It could not be denied that it must be extremely perilous; and could they suppose that all this was not well understood by foreigners? To suffer such a state of things to exist was to invite attack, to allow a premium on insult. Even smaller states would cease to regard with awe or terror a nation struggling in an extricable labyrinth of financial difficulty.

There stood the ministers of the Crown convicted, neglecting the most important interests which could have been committed to their care. He did not wish to disguise his own object in bringing this charge against them, nor had he stated it in such a way as to conciliate any of those who might feel a reluctance to admit its truth, or to vote for that general inquiry for which he should conclude by moving. His own opinion certainly was, that the motion he was about to submit did go to produce a change of administration. The question was, whether he had not made out such a case as called upon the House to interfere. His first proposition was, that the state of the country was full of difficulty, danger, and alarm, and demanded the most prompt and vigorous councils. His second, that the House ought to interfere against the noble lord. It must be obvious that ministers were neither capable nor inclined to make any effectual effort for the improvement of our circumstances. They had, in fact, made no movement whatever to produce any beneficial change in our internal condition. What, for instance, was their conduct with respect to the Poors' Rate, of the pressure of which every man in the country was fully aware, while ministers were totally inactive, and inattentive to the universal call for some amelioration of that important system? A Committee was no doubt appointed to consider the subject, upon the motion of an honourable gentleman, somewhat connected with ministers, who had brought forward from his committee one bill, which was now no more, and another which was in the last agony. But in point of fact nothing was done, and this committee was the only movement made, after three years of peace, to take the subject of the Poors' Rate into consideration. Ministers had not, indeed, within the present session, brought forward any measure whatever connected with our internal affairs, but the army estimates. Such was the degree of activity and diligence they evinced at the present crisis. But the truth was, that ministers did not feel sufficient confidence in their own strength or influence to hazard any vigorous or decisive measures. —Committees might examine, and apply great labour and ingenuity: but without the support and authority of the executive, no measures of a general nature could be expected to succeed. They had now advanced to the 18th of May, and all that had been done during the present session was to pass the army estimates. A committee to inquire into the state of the Bank, and the question of resuming cash payments, had certainly presented a report; but that committee would not have been appointed, except for the motion which he had previously submitted to parliament. When it was found that inquiry could not be resisted, it was determined that at least it should be a secret inquiry. The chief object with his majesty's present minister suniformly was, to retain their places, and to remedy no abuse, to attempt no improvement, that might endanger them. It was time therefore for the House to mark its sense of the difficulties and dangers with which we were surrounded. It was time to satisfy the country that it was determined to face those difficulties, and to provide for their removal. He who voted against the present motion confessed by that vote his perfect confidence in the wisdom, vigour, and enterprise of ministers, his unqualified approbation of their measures, and his opinion that their career ought not to be interrupted. He who voted for it, by so doing merely admitted the necessity of inquiry, and marked his sense of the state of national affairs. He might support it, although he would rather see the opposition hanged than admitted to office. It was true that some honourable members were on an occasion like the present, which was of rare occurrence, disposed to think that it had no other object than to enable one party to march into office by driving another party out. He did not know who might be very anxious to march in; but if there was one individual indifferent with regard to it, and who would as soon be without office as with it, it was the individual who had then the honour of addressing them. He did not state this as taking any credit to himself on that account; for he should feel no shame in avowing that office was his object; and that he saw no merit in refusing place. He would not be understood therefore to deprecate a desire for office—on the contrary, he felt that in which every considerate man acquainted with our history and institutions, must concur, that to occupy the powers of office was the best way of carrying any great measure into effect; therefore to enter into office upon public principle he always thought the fair object of a public man's ambition. A party banded together to obtain office upon certain principles, and steadily adhering to that union, was the only possible means of effecting any substantial good for the country. It was, therefore, a fair and legitimate object of pursuit with all who conceived themselves able to render service to the public. But with regard to his own personal wishes at present, he had none; his health and his time of life, though the former was much improved, did not permit him to desire official labour very ardently. The emoluments of office could hold out no particular inducement to any man, and this was always his opinion. A man of small fortune undertaking a ministerial office, must, he was satisfied, be rather a looser than a gainer. Office, therefore, had no temptation for him. But still if his friends were to go into office for the purpose of carrying their principles into effect, there was no sacrifice to which he would not submit—no unpopularity (if any) which he would not encounter, in order to afford them any assistance or cooperation in his power. One point he thought must be manifest to all men—that the security of the country in its present circumstances depended on a strong administration. In looking at those of whom it was now composed, he wished to express his opinions without giving personal offence; but at the same time he must state, that he conceived them to be banded together by no particular principles or views. This was the opinion entertained of them by the country, and even by many who perhaps would vote for them on that night. Many would also vote with them, because they imagined that no better administration could be formed. This might possibly be a well-founded opinion, but then the country was surely in a very bad way. In that view of the question the present ministers would remain in secure possession of their emoluments, at the expense of all those general interests which were dependent on their measures. There were many also who might say, that they would not vote with ministers on a question respecting Scotch Burghs, or any other questions in which those ministers were left in a minority; but yet, when a change of administration was proposed, that created an alarm among all the dependents upon that administration. The effect of that alarm might appear in the vote of this evening, by evincing a superior solicitude for official emolument to the promotion of the public interest. But still, with all the power of ministerial influence, he had no doubt that the result of the discussion would be found intelligibly and impressively to convey the sense of that House to the country. It had been said that his motion was premature, and should have been postponed till the report of the Bank committee had undergone a discussion. To him this did not appear to be a correct view of the subject. He had throughout his speech made little or no allusion to that report, nor had it any immediate connexion with the object of his motion. A committee on the state of the nation, however, would afford the best occasion for embracing the consideration of the report. The House must be aware that there was much to pull down as well as to build up. His majesty's ministers had given two opinions directly opposite to each other on the currency of the country. The House had a resolution on its table, which declared that Bank-notes were equivalent to the gold coin, whilst the reports of committees of both Houses declared that they neither were nor should be so! These questions might, however, be fully discussed on another occasion. But the most important point to be considered was, the means of adjusting the difference between our income and expenditure, and some arrangement would, he hoped, take place upon this point, before the conclusion of the sessions. That arrangement had, he was sorry to say, been too long delayed. The chancellor of the exchequer had no doubt promised to favour the House with his view of the financial condition of the country, but when that exposition was to be presented, the right hon. gentleman had not yet even intimated. He was however, anxious, not for a statement of the right hon. gentleman's views, but for some substantial acts to reduce our expenditure to a level with our income. That was the great desideratum for which the country unanimously and eagerly looked. He did not mean to press the right hon. gentleman to bring forward his budget, which was not perhaps to be expected for a fortnight or three weeks; but that, to satisfy the House and the country, he should communicate some plan, if he had formed any, with regard to the prospective state of our finances. Such a statement the right hon. gentleman might make without waiting for the budget, but he did not expect it from him; for he seriously believed, that the right hon. gentleman's mind was quite at sea upon the subject, if it were at all embarked in the pursuit. But to return to the motion —if the House went into this committee, it would prove itself to be impressed with a deep sense of public difficulty. If it were deemed too late in the sessions to appoint a committee to consider such a large and important topic as the state of the nation, he should have no objection to such a resolution upon the subject, as was adopted in a former sessions on the proposition of the president of the board of control, with respect to the Catholic question. Were the House merely to pledge itself to pursue the inquiry at some future period, this good effect would be produced—either that ministers would be compelled to undertake the necessary measures, or the Prince Regent's eyes would be opened to their weakness and neglect. Ministers might, in the interval between this and the next sessions, enter more attentively into a consideration of the state of the country, or feeling themselves unequal to the task they had undertaken, admit their unfitness for the offices which they held. Why should the House be scrupulous with regard to the effect of its proceedings upon those ministers who had so often shown them that they were not disposed to take a very slight hint?—That they were a combination of persons who laughed equally at the House and at the country, he had no doubt. They ought to thank him for the opportunity which this motion afforded them of discovering, he would not say their real friends, but their present strength. The triumph might be theirs, but he should at least have the consolation of letting the country know who were the persons anxious for a full investigation of its affairs. He felt considerable confidence, notwithstanding he stood opposed against all the influence, authority and patronage of office. It was clear, that if carried, his motion would produce either this good, that of forcing the ministers of the Crown to adopt more vigorous measures, and to add to their strength, or end in the removal of them all. They would, no doubt, endeavour, by all means, to avert such an event. There might be some changes among them of merely an official shape, but driven at last to feel their want of strength they might be urged to surrender, "if parliament would consent to wait." It was, however, in his view, the duty of parliament to call at once for the removal of those ministers. Many would, he was satisfied, vote for them this evening, who were as convinced of their incompetency as the country at large, and the sense of the country should be communicated to the Prince Regent, in order to urge his royal highness to do that which would alone be satisfactory, namely, the removal of all the ministers [Hear, hear,

hear!]. It was his firm opinion, that such a change was necessary to satisfy and to save the country. He thought that removal necessary, because the country could not be secure till its finances were arranged and governed upon sound principles. He thought it necessary for the purpose of conciliating the affections of the people, not by any subserviency to popular clamour, or indulging in idle schemes of visionary or impracticable reform, to such projects he declared that he was quite as adverse as the right hon. gentleman on the opposite side, but by a sincere disposition to promote what was practically useful. This could not be expected from men who avowedly set their faces against every species of reform, and merely because it was so. There were propositions of reform which he was cordially prepared to support, and which he thought ought to be adopted, with a view to satisfy the people and to save the constitution. The policy, therefore, which it was the intention of his motion to carry into effect was, the restoration of our finances and the conciliation of the people. The latter was at all times a most desirable object, the former was one of pressing exigency. Until secured, our foreign relations must be uncertain; once attained, we might look all Europe fearlessly in the face, and display at once our attachment to peace and our ability for war. He concluded by moving, "That this House will resolve itself into a committee of the whole House to take into consideration the State of the Nation."

Lord *Castlereagh* wished, in the first place, to express his conviction, that although much of the argument of the right hon. gentleman was perfectly sound, and warranted by facts, and such as he himself was disposed to concur in, yet that the few observations he should trouble the House with, would induce it not to go the length of admitting the general views which the hon. member had taken of the state of the country. In rising, as one of the administration which had been so peculiarly the subject of the right hon. gentleman's animadversion, he felt all the difficulty of his situation, especially in attempting to answer the very able and luminous speech which the House had just heard. With the right hon. gentleman's view of the difficulties of our financial condition, he was not disposed much to differ, but in adverting to the conduct of his right hon. friend, the chancellor of the exchequer, he would put it to the personal generosity of the right hon. mover himself, as well as to the candour of the House, whether greater ability had been displayed by any financial minister, than, under the very peculiar circumstances of the country, had distinguished the system of his right hon. friend? Notwithstanding the scoff of certain gentlemen, or the tricks practised by the right hon. mover, who was such an expert tactician in debate, he would repeat, that the financial talents of his right hon. friend had proved of the most eminent description, especially considering the difficulties in which he was placed upon the lamented death of Mr. Perceval. He would call upon the House to recollect the exhausted state of the country at the period at which his right hon. friend took upon himself the administration of that difficult department: and he would then ask the right hon. gentleman whether he could show any instance of greater or more important exertion than that which had distinguished his right hon. friend. He felt perfectly confident that none of his right hon. friend's colleagues in office, would shrink from the responsibility, which an unqualified approbation of his efforts might bring upon them. He agreed with the right hon. mover that ministers were, as well as parliament, bound to look the difficulties of the country in the face, and not shrink from considering them most fully; though in doing so he hoped they would meet with more vigorous and steady support than the right hon. gentleman was likely to afford. He did not complain of the conduct of the right hon. gentleman, though certainly he had assumed a tone of candour and an air of plausibility, that so far misled some members as to make them suppose that his whole object was to awaken the attention of the House to those important questions on the discussion of which they were in a few days to enter. And here he would submit to the judgment of the House, whether, on the very eve of considering the important inquiry respecting the Bank, it was proper or becoming to bring forward a proposition of this nature. If, however, the right hon. gentleman thought the state of our finances and the incompetency of ministers so very pressing, that he was called upon to awaken the attention of parliament and to open the eyes of the Prince Regent to the subject, how came he so long to sleep on his post? His right hon. friend would soon bring forward, not only his budget for the year, but his view of the prospective financial condition of the country, and he had no doubt that the exposition would be found fully clear and satisfactory. In considering the difficulties of the country, he could not help regretting the rejection of the property-tax. For however he bowed to the decision of the House on that subject, he must always feel it a lamentable circumstance that the country was not reconciled to bear somewhat longer the burthens of war, in order to get rid of its financial embarrassments. But whatever those embarrassments might be, he saw no ground for alarm, dismay, or for any apprehension that, in the event of war, to which the right hon. gentleman alluded, the country would not be prepared to maintain that power and character against any foe which she had for so many years proudly asserted.—He trusted therefore, the House would understand, that if his right hon. friend declined entering at present into this question, as it regarded the financial arrangements for the year (and if he had any influence he would prevail upon him not to enter upon it), it was not because the statements of the right hon. mover could not be fairly met, but because it would be premature to be induced by any taunts which the right hon. gentleman might throw out, to enter upon such an explanation before the whole of the financial plans were fairly before the House. He could assure the right hon. gentleman, that when the proper period for entering upon this subject arrived, he would find ministers prepared to meet him on the several points to which he had alluded. He now came to the narrow ground on which this motion was founded. It was not a question which involved the finance of the year, or the consideration of the Bank Report, for on those heads the House had not yet received such information as could justify the discussion of those questions. If, indeed, the right hon. member thought it necessary to enter into a discussion on those subjects, he would have an opportunity of doing so in the course of next week; and he would find, on that occasion, that any course he meant to pursue would be as open to him as it could possibly be to-night. But this was not the object in view. The real object seemed to be, though it seemed rather late for such an inquiry, whether his majesty's ministers were competent to the situations they held—whether they were entitled to the confidence of the House and the country. This was the question upon which they were at issue, and on this ground he was ready to meet the hon. member. He could assure the House, that he had no desire to remain in office a single day longer than he felt himself capable of justly discharging the duties imposed upon him. And farther, he acknowledged, that no ministry ought to remain in power who did not possess the confidence of parliament. With these feelings and impressions, he did not feel at all dismayed in putting himself and his colleagues, not merely in competition with the right hon. member and his friends, but fairly before the House, to be judged by the measures which they had adopted during their administration. He agreed with the right hon. gentleman that it would not be well to lull the country into a belief that it was in such a state that no possible danger or difficulty could arise. He, on the contrary, would maintain, with the right hon. gentleman, that the only way in which peace could be maintained—peace without subjection and disgrace, was to be always ready to resent insults and injuries, if insults and injuries should be offered. But while he stated this, he felt justified in adding, that he did not know that at any period of our history the foreign connexions of this country had been more satisfactory than at present, and the nation might flatter itself, that it had before it as fair a prospect of peace as it had ever enjoyed. He could not sit quietly by and listen to the taunts of the hon. gentleman opposite, on that coalition of great nations which had lately taken place. The principles which now bound the sovereigns of those nations together in strict alliance, he would venture to say, notwithstanding the taunting innuendoes of the right hon. gentleman opposite, were not those of ambition, nor of aggression; they were not united for the violation of public freedom, nor to oppress and overlay the liberties of countries, but to preserve to their subjects the fruits of those arduous struggles into which they had entered for the preservation of the independence of this as well as other powers, and which had ended in one of the most glorious conquests that were to be found in the annals of history. If the sentiments of that coalition were clothed in a Christian and religious garb, in his conscience he believed that it was attributable to the character of the sentiments on which it was founded, and he trusted that a British House of Commons would be the last to urge that as an argument against the coalition altogether. The right hon. gentleman contended that it had been the policy of that alliance to reduce the power of France. This he firmly denied. The allied powers were actuated by contrary views—they were anxious to see France occupy that extended space in Europe, which her power entitled her to fill. It was against revolutionary France that the allied powers had exerted themselves—it was against revolutionary France that this country had fought single handed through those dark and bloody scenes, where the politics of the times deprived us of an ally—it was against revolutionary France that we had still fought, till assisted by other nations, who, at length, roused to a sense of their danger, had made common cause with us, we succeeded in overthrowing the monster. He could assure the House, that as far as this country, or the other allied powers were concerned, there was not a feeling entertained injurious to France, or against which any Frenchman could justly entertain a jealousy. Over France, should France continue to pursue the career of peace, this country and its allies, would desire no greater triumph than to see her prosperous and happy. It had been said, that the British government, during the late negotiations, had not made use of the power which it possessed to secure those commercial advantages which it ought to have been the object of ministers to gain. He would not now enter upon this subject, but at the proper time he should be prepared to show, that the commercial interests of the country had not been neglected. He would show, that at no period of our history had this country carried on so great a commerce by one third as she had carried on during the last four years; and that the two last years were the greatest commercial years that had ever been known.

In respect to commercial treaties, about which the right hon. gentleman had said so much, happily for this country she had had very little reason to negociate them. Had such treaties been made, he thought they would rather have confined than extended our trade, which now knocked at every door and found its way into every port:—a trade which might be said to be independent of all the world, and only governed by laws of its own. But even if such treaties were advantageous, how could it be expected that a narrow policy of this kind could have been entered into at a period when we were struggling for the liberties of Europe? Nothing would have been more contemptible, at the very moment we were assisting foreign countries in the high and important task of recovering their independence, than to mix up matters of paltry traffic as the price of our assistance. How could such a proposition have been made at a time when this country was winding up its exertions in the bowels of every state on the continent? Could ministers stop to higgle for commercial bargains with Spain and Portugal, and refuse to assist them unless their terms were agreed to? If this had been done, the consequence would have been, that this country would have come out of the struggle with its resources exhausted, and without having gained the grand object which induced us to enter into it—its own independence, and that of the several continental powers. He was perfectly satisfied to rest the character and conduct of ministers on the measures they adopted at that eventful period. The right hon. member had, in speaking of the arrangements made on the subject of the Newfoundland fisheries displayed a surprising want of information; for he had confounded that subject with the commercial treaty between this country and the United States. This was a convention founded upon the treaty of Ghent, and had no connexion with the commercial treaty. The House was aware, that if there was any one power, with which it was materially necessary that this country should enter into a commercial treaty, it was America; he did not mean a treaty of concession, but one of fair and honourable trade; and when he mentioned, that the annual amount of our trade with that country was from 11 to 12,000,000*l.* it was enough to show the great importance that ought to be attached to it. As the right hon. member had stated his object to be the removal of ministers, he might, at this late period of the session when the House had no time to throw away, have adopted a more expeditious mode of accomplishing his purpose. It was something strange that the right hon. gentleman should come down just at the end of a session, and ask the House to pass a resolution declaring the incompetency of an administration which had been in power for at least 8 years. Surely, the conduct of ministers was not so far obliterated from the minds of the House as to require a committee to inquire into it. It would be difficult for himself or his colleagues to defend themselves from a charge of so general a nature. If any particular charge were made, the matter would not be so difficult. He trusted it would not be considered arrogant of him to say, that he freely put it to the House, whether from the measures adopted by ministers, they were not fairly entitled to the confidence of parliament and the country, or whether those measures were such as to disqualify them from longer holding their places? The right hon. member had said a good deal of the want of principle on the part of ministers. Now, he would beg to ask, without meaning any offence (although probably he might not be considered an unbiassed or impartial judge on the subject) where the principles of the right hon. member were to be found? He should be sorry, when a change took place in the government, if the right hon. gentleman were not to take the lead in the new administration, as he was certainly no small star in the constellation on the opposite side of the House. With this feeling, and desiring to know what was likely to be the character of the new administration, he wished to ask of the right hon. gentleman to what part of his life he would refer them to ascertain what had been his principle, he meant his political principle of action. The only pretension to principle he could find in the right hon. member (he meant in public affairs), was the dexterity and perseverance with which he and his friends opposed every measure proposed by ministers to stem the torrent of destruction which threatened to deluge this country. He might safely leave it to the country to decide on which side of the House most English principle and public spirit had been found. Ministers were charged with indifference to the internal interests of the country. This he denied. There was no branch of the government that had not been attended to. A committee had been appointed to consider the penal code. He did not see any immediate means of amending the poor laws, which would authorise ministers to take the question up. That question had, however, been under the consideration of a committee of the House, and much benefit was expected from the amendments proposed. The affairs of the Bank, the currency of the country, in short, every measure that affected the public interest had been attended to by government. How then, was the charge of indifference on the part of ministers justified? But there was another cause for bringing forward this motion, which the right hon. member had not thought proper to state to the House; and that was for the purpose of showing the strength of the party of which the right hon. member was the head. The right hon. gentleman appeared to be determined to have a grand field day, and to parade his troops. The right hon. gentleman was aware that on another question now on the eve of coming under discussion, there would be some defections, some rebels against his authority; he therefore wished to bring forward some proposition which should unite all his forces, however opposed to each other in various other instances. Such a Mahratta confederacy as had been recently exhibited on the opposite benches was probably never seen in that House. He did not mean to charge them with the sanguinary part of the character; but a better description could hardly be given of the force on the opposite side of the House as it recently existed than that which had lately been given of the Pindarries by his right hon. friend near him. They were in a most extraordinary state of political confusion, "chaos" seemed "to have come again." They had no longer one leader, but as many leaders as there were gentlemen of talent among them. A great improvement had certainly been effected by giving the command to the right hon. gentleman. Now all was order—every one was in his place—all with "eyes front" looked to the right hon. gentleman for instructions ready to obey the word of command. Bound to acknowledge the infallibility of their political pope, they took their places at five o'clock, and hardly left them to obtain natural refreshment. All this might prove the right hon. gentleman a famous leader, since he had been thus able to establish passive obedience in the whig army. Those, however, whom he (lord Castlereagh) had to address, though some additions had been made on a late occasion to their numbers, were in the main the same troops who had before driven the opposite party out of the field, and saved their country. He would not believe that they had changed their principles. He believed that they loved the principles they formerly professed as well as they ever did, but like many a victorious army nursed in the lap of victory, they had perhaps become rather indolent. He hoped that they would now rally round their principals, and show the right hon. gentleman that it was not by dexterity that any measures were ever carried in this country. He put it to the House, he hoped not in an offensive manner, whether they could sanction a proceeding like the present. If they were not prepared to withdraw their confidence from the government, he claimed from them on the part of the government, or rather for their own character's sake, and for the sake of their consistency, that they would not suffer mere dexterity and discipline to prevail, that they would not suffer inferior numbers to conquer: for in the late divisions to which the right hon. gentleman had referred with triumph, he could trace very few who voted with the right hon. gentleman, but those who had been in the habit of doing so. If the former friends of government had changed their opinion, he hoped they would speak out. If they had a disposition to overturn the present administration he called upon them to come forward like men. If they thought that his majesty's ministers had done wrong, let them say so, and let them not suffer the government to be overthrown by mere dexterity and discipline. They were on the eve of a great question, which could not now be anticipated; and the House must be aware, that that was not the time to bring forward a motion like the present. The right hon. gentleman had not chosen a very favourable opportunity for the present discussion; except perhaps as it answered his purpose of showing his power to reduce chaos to order. The situation of ministers was never fuller of difficulty and responsibility. He was persuaded that the House would see that there was sufficient ground for a delay of a few days in bringing forward the financial arrangements for the year, and he concluded by trusting that it would that night be put fairly to issue, whether the right hon. gentleman and his friends, or ministers were entitled to the confidence of the house and of the country.

Mr. *William Lamb* wished to state the reasons why he should give his vote in favour of his right hon. friend's motion. The House would recollect, that though his right hon. friend had alluded to our commercial regulations, and to our relations with foreign powers, yet the motion was principally grounded on the financial state of the country. He did not mean to compete with the noble lord in the humourous observations he had indulged in when speaking of his side of the House; but he wished to call their attention to the charges of dexterity urged against his right hon. friend. He appealed to the House whether, in what had fallen from the noble lord for the last half hour he had not used his utmost dexterity to turn the minds of members from the real question before them? The noble lord had, however, previously indulged in observations of a more serious nature, he had charged his right hon. friend with want of principle, with having used his efforts to oppose and fetter every measure proposed by government during the war. The only argument he should use in contradiction to those charges against his right hon. friend was, a direct and distinct denial. There certainly did exist a great difference of opinion as to the origin of the war, and on the manner and measures adopted during its continuance. But while he had sat in the House, he never knew his right hon. friend, or those who acted with him, oppose any measure necessary to the safety or interests of the country. Where could an instance be mentioned of any vote of supply being refused? Many objections had been urged against the conduct of ministers; advice was sometimes offered as to the mode in which the war ought to be conducted, and at different periods it was contended, that an effort ought to be made to bring it to a close, but it had never been the object of the opposition to prevent the country from putting forth all its energies in the way most conducive to its interests and its glory. We had, it was true, triumphed; but it behoved us to speak of our triumphs with modesty when we considered the financial embarrassment and difficulty in which the war had left the country. The noble lord had eulogised the whole financial system pursued by the chancellor of the exchequer. He (Mr. L.) admitted that during the war those financial plans were necessary; as the country had no alternative. But now the charge against the chancellor of the exchequer was, that though we were at peace, he had made no effort to relieve the country from the weight with which it was burthened. What his right hon. friend had said was, that the country was at present placed in a state of great financial difficulty, and that the measures proposed by the chancellor of the exchequer were not such as to entitle him or his colleagues to the confidence of the country, and on this opinion the motion was founded. A great cause of complaint against ministers was, their want of attention to the consequences of peace. It was since the peace that the right hon. gentleman had lost the confidence of the House and country. Ministers seemed totally unaware of the situation of the country. They seemed to think that all was to revert to its former state, that it was only a transition from war to peace that occasioned a temporary difficulty, and that all would again be in the former state of activity and prosperity, without considering the effects that must necessarily result from the exertions which the country had made, and the convulsions which the world had suffered. At the time when the property-tax was reduced, ministers proved themselves incapable to conduct the affairs of the country. The attempts to keep up credit and to lessen our burthens, by exchequer bills, were at least useless. It was stated by his right hon. friend, and admitted by the noble lord, that this motion was made to bring about a change of ministers. He supported it on that ground, as he conceived that the situation of the country, and the conduct of ministers called for it. Before he entered on this part of the question, however, he felt himself bound to say, that he had great respect for many of the ministry. With respect to the private character of all, and the public character of many among them, he admitted their excellence. The noble lord at the head of the Treasury was "as clear in his high office" as any minister could be. He had discharged the high duties of his station with gteat disinterestedness, and in the patronage of his office he had shown a strict regard for the public interest, by appointing such persons as were best calculated to serve the country. Another noble lord had been engaged in transactions perhaps more important than ever before called for the attention of a British minister. When he considered the delicacy and difficulty of the task imposed on the noble lord, and the many interests he had to contend with and reconcile, both at congress and in Paris, after the battle of Waterloo, he could not, however he might deplore what had been left undone, attach any blame to him for want of attention to the interests of the country. There was also his right hon. friend at the head of the board of control, whose abilities and eloquence were unquestionable. But, while he admitted all that, yet, looking at the administration in its collective character, he felt that they did not possess that public confidence necessary to conduct with effect the affairs of the country. There was something about them, which even rendered success inoperative. On them military glory the most captivating to popular feeling, the most attractive of public attachment, reflected no lustre. He must, however, be allowed to say, that if their unpopularity attached to them, because they pursued the warlike system, because they adhered to the course of Mr. Pitt, such unpopularity came many, many years too late. There were in that House men, who in the time for precaution, warned the country of the dangers into which it was about to be precipitated, but whose counsels were unheeded. When he reflected on the events of the last 20 years, he must beg leave to say, and he trusted the admonition would not be lost upon the country, that experience had lamentably shown that wars must be resisted in the beginning—that when once begun, no human hand could arrest their progress, no human eye foresee their duration or extent. Yet we had seen, that when those very persons who had deprecated the evils of unnecessary war, were called to conduct its progress, and were hurried in the torrent of its events to remedy the calamities which they had predicted, they were reviled and contemned for their exertion, by the most eager advocates of war and authors of the public distress. The unpopularity of the present ministry might in part be attributed to the failure of those means of patronage by which they were enabled to attach adherents. From the cessation of a war expenditure, many claims were made on them which they were compelled to refuse—numerous expectations were entertained which they were necessitated to disappoint. It was, he feared, too true, that peace was not pleasing to the British nation—not that they disliked the season of tranquillity and calm, but that peace seldom came unless saddened by the calamities of national distress, and oppressed by the burthens of a long preceding war. The reckoning remained to be accounted for, the exhaustion began to be felt, whilst the stimulus and excitement of the contest had subsided. To whatever causes attributable, most assured he was, that the present ministers of the Crown did not possess the confidence of the country; and if so, he felt equally certain that they could not long possess the confidence of that House. In fact, what had the House been doing day after day since the commencement of the session, but manifesting its distrust of administration? Why appoint committees on committees, to whom the powers and duties of the executive government were transferred, unless parliament distrusted the intentions or the ability of ministers? And if they felt that distrust, why not adopt the ancient and constitutional mode of obtaining an efficient administration? The practice of delegating to committees those powers, was most unconstitutional, inasmuch as it tended to absorb the whole authority of the executive government in the vortex of that House. Moreover, it was as ineffectual as it was unwise, because it wanted all the strength, all the secrecy, all the energy, and all the responsibility of government. Take for instance the case of public economy on which so much had been said in this period of financial embarrassment; and while on that subject, he would premise that nothing like alleviation from the pressure can be expected, although he was impressed with the conviction that every practicable retrenchment ought to be made; first, as a saving of money; and next, because every unnecessary expense implied a failure of public duty. But he could not help saying, that taking into consideration the amount of the public debt, the expenses of the civil government (and he did not believe our government was an exorbitant one), to direct the attention of the country to the labours of a committee, was but turning the public eye where it would be deceived, as no material advantage was to be expected. For what was it in the power of that committee to effect? One blot might be hit—some trifling retrenchment might be recommended—but after all it was only in the habitual and vigilant superintendence of the executive government over the public expenditure, continued day by day, and carried with a searching power into every department of the state, that economy could be really effected. If the House of Commons believed the ministers of the Crown anxious to accomplish that object, let it confide in them; but if it did not place that confidence in them, it was its duty, in place of the unconstitutional and inefficient system of appointing committees, to take the ancient and constitutional practice of parliament, and adopt the measure recommended in the motion of his right hon. friend. For his part, he had strong objections to the present administration. He objected to their cumbrous and discordantly united cabinet; he objected to the manifest disconnection of their measures. The noble lord had that night described those who in that House opposed the measures of the government, as a body admirably united and disciplined under their skilful leader. He (Mr. Lamb) spoke most sincerely, when he wished that he could see some portion of that union, some portion of that discipline in the cabinet, of which the noble lord was a member. It would afford him a real satisfaction, whatever the nature of his own political attachments, to see the ministry of the country held together by some good system of policy, presenting themselves to their opponents as a formidable and impenetrable phalanx, rather than exhibiting a spectacle of division which was too palpable.—One leader coming down one night, when secure of the absence of the other—avoiding all discussion on questions of the most essential importance, leaving the urgent subject of the poor-laws to its fate, and abdicating the functions of the executive government to committees of that House. Such a system affected all the measures of the parliament—they were floating at the mercy of the waves, without compass or rudder. There were motions brought forward by many hon. members, particularly that introduced by his hon. friend, the member for the county of Worcester, for the abolition of lotteries, which, from his own feelings, he was inclined to support; but in the present state of our finances, with the amount of our debt, he was unwilling to diminish any portion of the revenue, unless there appeared a probable mode of making up the deficiency; and the more especially as he had no confidence in the chancellor of the exchequer, either that he could devise any plan to supply such deficiency, or that he possessed power enough to make that plan practicable. It was this want of plan, this absence of all system, this disconnection in the measures of the government—at all times so prejudicial to the interests of a nation—and in the present state of our financial difficulties, so peculiarly injurious, that had induced him to support the proposition of his right hon. friend. It was for the House to decide, as should seem mete to their feelings. With those who opposed the present motion, would rest the responsibility from which it relieved those who proposed and supported it.

Lord *Clifton* supported the motion.

Mr. *R. Martin* observed, that as the question was now reduced into a very narrow compass, being nothing more than whether the House would select the gentlemen on the opposition, or those on the ministerial benches, for the members of administration, he must claim his right to express his opinions upon it. If the contest of the evening was to be a contest for power, he would call on the right hon. leader of the opposition to step manfully into the arena, and there meet the noble lord, face to face. He would call upon him to do this, in order that the campaign might be shortened, and he (Mr. M.) might take his *bene discessit* at once, and depart for his county in Ireland. He repeated the assertion, that the campaign would be shortened, if the contending parties would give up the war of posts. If the modest gentlemen, whom he saw on the opposite benches, would suppose themselves for a moment on the treasury bench, and name the members of the administration which they wished to form, the House would be better enabled than it was at present to decide which of the two parties ought to govern the nation. If the hon. gentlemen opposite were as patriotic as they professed to be (and as they possibly were), they ought to come forward and support those measures which were for the good of the country, or propose those which they thought were calculated for that purpose. But it was too much for them to have a nostrum which they would not produce, unless they were rewarded with place. He owed no obligation to the present government—they had not returned him for the county which he represented, though one proof of their popularity in it might be deduced from the circumstance which he was going to relate. He had canvassed 12,000 freeholders resident in his county, with the standard of government unfurled, and had in consequence obtained a great majority over the mighty minion of opposition, George Bowes Daly.

Mr. *Wynn* argued, that while the question of the metallic circulation of the country remained undecided, the House could not enter into a committee on the state of the nation with any prospect of reaping advantage from such a measure. A question of this kind by no means involved the fate of the ministry. During the administration of lord North, two several committees had been appointed to consider the state of the nation, without deciding any thing as to a change of ministry, or affecting their stability. Almost any question, even the most trifling, might however be made decisive of the fate of a ministry. It was well known that it was in the debate and decision on the case of the Chippenham election, that the ministry of sir Robert Walpole had lost their places. He complained of the uncertain and unsteady conduct of ministers. Questions of vital importance to the country were abandoned by them, or they were driven to a reluctant and partial consideration of them.—The House, it was true, had entered into the consideration of questions of finance, of the penal code, of the Catholic cause, and other important measures; but not one of them was taken up by administration. Though he did not place any confidence in his majesty's ministers, he had been strongly inclined, on entering the House, to move the previous question on the present motion, which, however fit it might be to entertain hereafter, was certainly premature at the present time; as, however, both sides of the House seemed to wish to come to a decision on the subject, he should not thwart their inclinations by following his original intention; he should however withdraw, and preserve his consistency by giving no vote at all upon the present occasion.

Lord *John Russell* considered the present motion a tacit vote of censure on the conduct of ministers. Had his right hon. friend gone to a bolder measure, and directly moved a resolution of censure, he was not sure but he would have had the support of the hon. gentleman who had last spoken, and many other hon. members. Indeed, were he to judge from the opinions of men out of doors, in every street and in every district, he was persuaded that the public felt neither esteem nor respect for the administration. The first objection which the noble lord had made to the motion of his right hon. friend was, that it was a premature entry upon the Bank report; and that, too, when his right hon. friend had not touched upon the affairs of the Bank, and had plainly disavowed any intention of doing so. The noble lord had not been contented with this mis-statement, but had proceeded to another, and had said that it was an additional trick in the tactics of his right hon. friend, whom he had represented as a most skilful general, to bring up all his troops in order on this question, on which they were united, inasmuch as they would be all divided again, whenever the Bank report was taken into consideration. So incautious had the noble lord been when he made this assertion, that he had forgotten how opposite in their financial opinions the gentleman on his right hand and the gentleman on his left hand were. This was a mark of imprudence of which the noble lord was so seldom guilty, that he could not explain how it had happened; but he certainly thought, that under such circumstances he had no right to exult over any disunion among his opponents, which, though it never had happened, yet by some accident possibly might happen. He (lord John Russell) had that evening heard, in the course of the debate, that the object of the late war was not to lower France in the scale of nations; this was a piece of information perfectly new to him. He would not enter into the grounds upon which that war had originally commenced, but he would assert, that it was defended on the ground, that as the revolutionary spirit had given additional vigour to France, it was requisite to put it down with all possible celerity. By the noble lord's statement, however, it appeared that the object of the war was only to crush revolutionary France: if that had been really its object, it had completely failed; as those doctrines which had been denounced with so much vehemence in Mr. Burke's book, had now a more powerful effect than ever in that country. He believed he might say with justice, that they were more prevalent, and possessed more influence now in France, than for the last fifteen years. Would the noble lord contend that the war was to restore a family, without any reference to the principles on which that family was to govern? For his own part, he was glad that France was under a dynasty which was so well affected to its real interests, as that which now sat upon the throne; but he must say, that the six hundred millions which had been spent during the war, were most wretchedly ill-spent, if they had produced no other effect than that of the restoration of a particular family. And for our disinterested exertions, what return had we received from the nations of the continent? It seemed as if since the peace of Paris all the nations of the continent had conspired against English commerce and English interests. He alluded particularly in this remark to the conduct of Austria, where he understood that British manufactures were received under even greater restrictions than those of any other country whatsoever. This he attributed to the negligence of ministry, who he maintained, in their administration of our internal affairs, were equally remiss and culpable. He referred to their conduct on the important subject of the poor-laws, on the discussion of which subject, though it was of vital interest to the country, not one of his majesty's ministers had attended. A lamented friend of his, whose loss was felt every day more and more—he meant Mr. Horner—had observed, that by the present poor-laws the people were returning fast to a state of villanage. The observation was true; they were returning to a state of villanage, and to a state of villanage that was incalculably more dangerous than that which existed six centuries ago, in an age of darkness and superstition. Sorry was he to say, that the once manly peasantry of this country were now becoming lazy and riotous, and disrespectful to their superiors, and that they were beginning to look up to the laws with no other view than that of obtaining by them a temporary subsistence. He maintained that his majesty's ministers ought to have provided for the diminution, if they could not effect the total eradication of this growing evil. They were, however, so accustomed to trust to the chapter of accidents upon all subjects, that they had trusted to it even upon this, and thought that it would bring them relief now, as it had done upon former occasions. The chapter of accidents in war had given them some advantages over Buonaparté; and yet if Buonaparté had not afterwards committed some imprudent actions, it was his opinion, that they would have lost all the advantages which they had obtained, by their own extravagance of conduct. The behaviour of the government on this head reminded him of an old story which he had heard, regarding a scene-shifter in the theatre, who, whenever any thunder rolled upon the stage, regularly cried out, "that is my thunder." Thus it was with the noble lord and his friends; they no sooner heard of the snow in Russia, than up they got and cried, "that is our snow." If the object of his political friends was power, they already possessed it—and power of the most gratifying kind. For instance, what could be more gratifying to his noble friend, in his motion relative to the Scotch burghs, than to induce the House to agree to it against the arguments of the ministry. On the whole, he gave the motion his hearty support.

Mr. *Sinclair* said, that the right hon. gentleman had relieved the House from all doubt and difficulty as to the nature and intent of his motion, by avowing candidly that his object was, to effect a change of administration, or in other words to compel the Prince Regent to dismiss his present advisers, and of course, appoint, in their room, the right hon. gentleman, himself, and those of whom he is the leader. And this, sir, leads me to take (I trust) an impartial review, of the present state of parties in this House, and their comparative claims upon the confidence of the people. If, indeed, we were at once to adopt the representations of those who support the right hon. gentleman, we should be led to suppose that the struggle was entirely between corruption the most unblushing, and patriotism the most exalted. We should believe that, on the one side, not a vestige could be traced, of virtue, knowledge, or ability; no public spirit, no zeal for political freedom, no fond and reverential appreciation of our constitutional privileges and blessings. We should suppose that, on the other side, all the talents of the country were combined, that we should there find a concentration of whatever is great, good, or disinterested, no oligarchical influence, no close boroughs or purchased seats—no view to the patronage or emoluments arising from official situations; no commoners panting for the coronet; no peers impatiently aspiring to a more elevated title than they possess. But, Sir, will any one, who lays his hand upon his heart, and discards all party prejudice, or personal dislike—will any one, who weighs dispassionately the merits, or passes calmly under review the conduct, of public men, maintain, that such pictures are drawn faithfully from the life, or deny that the one is distorted by the darkening pencil of malevolence, and the other profusely embellished with all the high colouring of political partiality? I am indeed most willing to admit, and even proud, as a Briton, to reflect, that there are many, very many individuals, enrolled in the ranks of opposition, who are distinguished among their contemporaries, and will be revered by posterity, as pre-eminent in probity, in talent, and in benevolence; and who would disdain to be influenced by any sordid or selfish motive. I cannot doubt for a moment, that, if they at any time were called to preside over the destinies of the empire, they would anxiously adopt, and steadily adhere to, such measures, as would, in their judgment, be most conducive to the honour and the welfare of the country. But, Sir, it is surely a just ground of complaint, that their adherents unequivocally claim in their behalf a complete monopoly of public virtue; and arraign, without mercy, as political delinquents, at the bar of public opinion, all, who ever presume to oppose them. It is surely a just ground of complaint, that those, who now possess the confidence of the Crown, are held up to public scorn and execration, as far more unworthy than any ministers ever were, or, I trust, will ever be, of the smallest attachment or respect; and that to give a fair and conscientious, though limited support to their measures, is identified with the approval of corruption. Such, Sir, are not the doctrines, which I am prepared to maintain; such, Sir, are not the instructions, which I have received from my constituents. Elected as I have had the honour to be, by the unbought and unanimous suffrages of a most respectable county, I have endeavoured so to conduct myself in this House, that the sacred trust reposed in me may be as freely and independently administered, as it was freely and independently conferred. It is not only no violation, but a punctual fulfilment, of our public duty, to abstain from invidiously disparaging the merits, and meanly undervaluing the services, of those confidential advisers, whom our sovereign thinks proper to select; and not, on all occasions, to resist all their measures with a spirit of defiance and rebuke. I well know, that any individual, however humble, who dares under any circumstances to raise his voice in favour of ministers, must expect to encounter a very full share of obloquy and misrepresentation; but, as I anticipate such treatment without fear, I shall not be ashamed to endure it; and I can assure the hon.

gentlemen opposite, that no wit, however pointed, no sarcasm however severe, and no asperity, however contumelious, shall ever, on the one hand, intimidate me from opposing, or, on the other, deter me from supporting them. The present proposition has, from time immemorial, been looked upon as a mere party question, and in short as a fair trial of strength between the *ins* and the *outs*. Whoever draws the sword against ministers on such an occasion, must be considered as throwing away the scabbard. I am not one of those who are anxious to take the cabinet by storm, and compel the governor and garrison to surrender at discretion, and therefore I shall give my decided negative to the motion.

Sir *Francis Burdett* observed, that the consideration of the State of the Nation was a subject so vast, that it required so extensive a view, and embraced so many objects, that the eye could scarcely comprehend the whole, and the judgment was puzzled what to select for observation. In this situation he should be inclined to address the House in the words used by a Roman emperor to the senate: " *Quod scribam vobis, Patres conscripti, vel quod non scribam*," &c. In whatever way, however, he regarded the question—whether he looked at it with reference to its great constitutional points, or with reference to other topics, such as the condition of our finances, the state of the poor, &c. which had been touched upon by several hon. gentlemen, he felt it to be impossible to contract it into that narrow compass which would make it simply a question, whether the present ministry should continue in office, or be succeeded by those hon. gentleman who acknowledged as their leader the right hon. gentleman whose motion was before the House. Indeed, were the question narrowed to the consideration, whether this or that set of men should form the administration of the country, he owned that he should not feel any anxiety on the subject; convinced as he was, that a change of men, without a change of system, would be of little advantage to the people. Whether that declaration of his might induce the noble lord to think that the " chaos," of which he had so humorously talked was, " come again," or whether it should turn out that he stood alone in that declaration—that he, a solitary straggler from the ranks of the right hon. gentleman, on whose excellent discipline the noble lord had been so jocose—the single Pindarree left to carry on an irregular warfare—he knew not. He cared little what opinion was formed with respect to himself; being solicitous for nothing, but to deliver the truth in the few remarks with which he should trouble the House.—For the hon. gentleman who had just spoken, he felt great respect and private regard; but he thought that the hon. gentleman had been peculiarly unfortunate in his remarks on the present occasion; for if ever there was a debate, in which there had been less of the depreciation of party than in another, it was the debate of that evening. The hon. member who had immediately followed the noble secretary of state, had indeed, in the able speech which he had addressed to the House, rather outstated himself, and contradicted his own argument by the excess of his candour towards his political opponents. He had spoken of the noble lord as having accomplished the difficult and delicate tasks of diplomacy, which he had undertaken with great success and credit; as having conducted himself for a long series of years in the public service with great ability and diligence; and as having used with great moderation the power and patronage afforded him by his official situation. Another member of the cabinet, who certainly possessed great talents and transcendant eloquence, had been described by the hon. gentleman in terms equally flattering; and he had also characterized several other individuals of the government, as persons in whom the public ought to place great confidence. It was therefore extraordinary that the hon. gentleman should support a motion which he considered as involving a change of administration; thinking as he did, that so large a proportion of the existing administration were men of abilities and moderation. But the hon. gentleman had done more. He stated (a new argument within those walls for a change of ministry) that the present administration was very unpopular—but, according to the reason of the hon. gentleman, that it was unpopular for a cause for which it was not to blame; namely, in consequence of the public distress occasioned by the expense of a long, a bloody war—a war which was commenced against the liberties of France, and which ended in the embarrassment and oppression of England. At the same time the hon. gentleman seemed to think, that whatever changes might take place, nothing very important in the shape of relief could be expected from economy. On that point he (sir F. Burdett) differed widely from the hon. gentleman. He thought much might be expected from economy; and that if there were a change of administration, the new ministers must adopt a principle of economy rigid, uniform, and sincere. Without doing so they would not be able to keep their places and (what, in despite of the bad example of modern times, ought to be dearer to public men) they would not be able to preserve a high reputation. Much good would proceed from such a system. It would form a striking and brilliant contrast with the system of the present men; and the country would at all events have the satisfaction of knowing that the servants of the Crown were in earnest. At the same time he was sorry that the right hon. mover of the present question disclaimed all notions of reform—he meant of parliamentary reform.—[Mr. Tierney assured the hon. bart. that he had misunderstood him.]—Sir F. Burdett, in continuation, said that he was happy to find he was in error. He would the more willingly support the right hon. gentleman's motion. Economy, coupled with rational reform, would give the country a fair chance of salvation. There would then be what a mere change of administration could never give—a strong parliament. Without reform the House of Commons could possess neither virtue nor vigour; it could gain neither the affections nor the confidence of the people. Stripped of the higher attributes of a legislature, it would remain an instrument in the hands of every daring minister, instead of being the shield of public safety, the guardian of public liberty, and the object of public reverence. The present ministers were unpopular—and, not giving the credit to them for their ability and moderation which the hon. gentleman did, he thought justly unpopular—but that unpopularity did not arise merely from the embarrassed state of the finances of the country, although after four years of peace it was surely not unreasonable to expect that some attempt would be made to relieve the public burthens. It was not to that point alone, however, that the unpopularity of the present ministers, strong and universal as it was, might be traced. On other and more serious grounds he arraigned them before that new parliament—he arraigned them for the measures which they had proposed in hostility to the rights and liberties of the people; he arraigned them for having subverted the ancient bulwarks of the constitution of England. Having lost those rights and privileges which were their pride and protection, and which gave them fortitude to bear the burthens imposed on them, the people, thus deprived of all consolation under their sufferings, were no longer disposed patiently to endure them. And he must also say, however unpleasant it was to his feelings to address those who listened to him in any other language than that of respect, that parliament shared the odium of ministers, because it had supported ministers in measures destructive of the public interests. The present was certainly a new parliament; but he was afraid that that was too true which had been said of it by the noble lord, who, when he had finished his ironical praise of the discipline of the right hon. gentleman's volunteers, harangued his own troops, his household troops, his Swiss troops, and, exhorting them to stand by their colours, boasted his conviction, that no effort made by the right hon. gentleman's volunteers, however well disciplined, would be attended with success. The present was certainly a new parliament, but the greatest number of the members, if not the same individuals as were in the last parliament, were of the same description—the nominees of peers, whose interference in elections were nevertheless declared by the law to be a high breach of the privileges of the House.—And here he must beg leave to observe, that if any serious intention of reform existed, the object could not be obtained by attacking the peculations of this or that borough. When practices had been detected in one or two boroughs, the existence of which in most others was as notorious as the sun at noon-day, the House affected a violent indignation which it was impossible they could feel. This attempt at delusion, however, could not deceive the public mind, jealous, discontented, and enlightened as it had become. He for one would never countenance it, he would never consent to select and punish a single delinquency of that nature, while the general corruption was winked at, and allowed to go on with impunity. The borough system was a hot-bed that generated the rankest corruption. Until that system was reformed, he was convinced that no plan could be devised productive of any material public benefit.

Were the voice of the country heard through its representatives within the walls of that House, how different would be the conduct of public men, and the situation of England! If the present state of the country were fully considered, it would be evident that the whole community was weighed down by calamity. It was not this or that particular class — the whole of our agricultural and manufacturing population groaned under a taxation which could not much longer be endured. The chancellor of the exchequer might try what schemes of finance he pleased; he might depend upon it that he was at the end of all his finance. The right hon. gentleman would no longer be able to deceive the House, however he might be cheered by the recollection of the facility with which he had gulled them (and certainly no person was less calculated to gull or dupe any one) when he made them declare, at a time when guineas were currently sold for six and twenty shillings, that a one pound note and a shilling were equivalent to a guinea! The state of things in England was intolerable; but England was not the only part of the empire which had reason to complain. If he turned his attention to Ireland, he there saw a gallant, generous, noble-minded people, equally oppressed by taxation with ourselves, and highly irritated by their exclusion from civil, rights, and from all the objects of liberal ambition, on religious pretences. He called them "pretences," because it was impossible that, in the present advanced state of the world—it was impossible that, in the year 1819, any man could seriously believe in the existence of a danger which rendered it necessary, not only to injure, but to irritate and insult four or five millions of people by denying them a participation in the benefits of the constitution. Were those four or five millions of people less powerful or less to be feared in their present state of exclusion, when every surrounding object must remind them of their unmerited degradation, and must exasperate them against the shameful system under which they suffered, stript, as it was, even of a specious veil, and exposed to the eyes of indignant Europe in all its naked injustice? Were they, he asked, less to be feared now than if they were restored to their rights, and were bound by the high allegiance which freemen owed to the constitution of their native land—an allegiance to liberty and their country? Englishmen were mistaken as to the state of Ireland. Early reading, and early prejudices; much of what was uncharitable, and much of what was untrue, made Englishmen too frequently draw conclusions with respect to the people of Ireland that were ungenerous and unwarranted. He was bound to declare, that when he visited that country, he was most agreeably disappointed. He then saw what the people were, and while he admired their virtues, he could not but execrate the system under which they had groaned for so many ages of shame and misfortune. He wished that every hon. gentleman who heard him had enjoyed similar opportunities of observing the character of the Irish people;—all the existing prejudices against them would then be at once removed, and they would be restored to the rights they had lost, to the liberty they loved, and to the constitution they had defended in every field of Europe. The Irish had been frequently represented as a nation of savages. He could only say, that if they were savages they were the gentlest on the face of the earth. Generally speaking, the Irish were in manners as civilized and accomplished as any people in the world, not even excepting the elegance and politeness of France; while their kindness of heart, their instinctive generosity, and their unaffected and unbounded hospitality, must charm every one who had been amongst them. He was persuaded that Ireland was the only country in the world where, if a stranger were wrecked and thrown naked on the shore, he would find welcome, shelter, and protection, in the first House he came to; and might afterwards travel from one extremity of the island to the other, without a penny in his pocket, and never be in want of either a meal or a night's lodging. Whatever might be the religious faith of such a people, prompting as it did to such a practice, it was surely not a fit subject for censure or oppression. The amiable qualities of the heart adorned the humbler as well as the higher classes in Ireland. Their charity was so extensive, that it flowed in a continued stream, "till that the very means did ebb." There were no people more susceptible of kindness, no people more capable of being led, and none more difficult to be driven.—With respect to Scotland, it had been that night observed, that the Scotch had had the good fortune to obtain an inquiry into one of the grievances of which they complained. An allusion had been made to the success of a noble lord's motion, towards effecting a reform in a very important part of the political system of that country. That success had been hailed as a most favourable omen. For his own part, he was willing to receive it as such—"accipio omen, felix faustumque sit!" Nevertheless he was doubtful of the result. He was fearful that the labours of the committee which had been appointed would not prove so favourable to the cause of reform as seemed to be expected. He was fearful that an apprehension would prevail that the object of the Scotch, namely, to nominate those who were to dispose of their property, was the object so long sought in this country; and that to grant it would be to give a mortal stab to corruption. He suspected therefore that, eventually, the Scotch would obtain no effectual redress. Whether they did or not, he trusted that all would see—he trusted that the Catholics of Ireland would see—he trusted that the Presbyterians of Scotland would see—he trusted that every honest man in the country would see, that to put down the present wasteful and corrupt expenditure, and to place the ministers under a constitutional control, it was necessary to effect a rational reform within these walls. Without that, vain would be all efforts at the amelioration of our condition: for no palliation that could be devised would destroy the ill consequences of the existing system. All other plans of relief—all amendments of the poor-laws, or of any other laws, would be useless.—On the affairs of the Bank he should say little; but it appeared very ominous, that what it was proposed to do by the Committees of parliament, appeared to be considered by the directors of the Bank as calculated to aggravate rather than to alleviate the evil. What the Bank Directors had stated was true, namely that the real object of inquiry was, not whether the Bank of England was prepared to resume its payments in specie, but whether the people would be able to bear that reduction of the circulating medium, which a speedy return to cash payments would render indispensable. The fact was, that the country would not uphold its present taxes and weight of expenditure, and at the same time have the advantage of a metallic circulation. No palliation of the system would do. The people were gasping for relief; and the suspicions which they entertained of the new parliament would be confirmed by the declaration that night made by the noble lord, that he considered it to be of a character similar to that of the last.

Mr. Alderman *Heygate* argued for the necessity of inquiry before fifty-four millions of taxes, the amount of the annual revenues, were again levied on the people. When he contrasted the state of the country a few months back with its present situation, he felt himself bound to vote for the motion. At that time its agriculture and manufactures were in full activity; they were now in a state of stagnation and decline.

Mr. *Dickinson* characterised the present crisis as one of the most alarming nature. The present ministers were evidently unable to conduct public business with common comfort to themselves, or with advantage to the nation. It was a government of departments; the head of each of which did not appear to communicate his intentions to his colleagues. The deplorable state of our circulating medium was occasioned by the neglect and inefficiency of government. The only remedy appeared to him to be the formation of a broad administration; and he conceived that the leading individuals of the existing political parties were by no means so far removed from each other, as many between whom coalitions favourable to the general good had been formed. He called upon the House to recollect, that it was a deficient revenue, a fallacious currency; and a weak administration, which had occasioned the French revolution. The motion had his hearty support.

Mr. *Marryatt* said:—Mr. Speaker; When the noble lord on the treasury bench claimed the approbation of the House, on behalf of himself and his colleagues, for having terminated the late long and expensive war by a glorious and triumphant peace, I cordially acquiesced in every sentiment that he uttered; for I considered their conduct on that occasion, as having justly entitled them to the admiration and gratitude of their countrymen. But when he called upon us to acknowledge the talents since displayed by the chancellor of the exchequer, in managing the financial concerns of the empire, I heard him with very different feelings; and must enter my protest against being thought to subscribe to any such opinion. One would have thought that, after the peace, the first attention of the chancellor of the exchequer would have been directed to the state of our finances; and particularly that he would have availed himself of those resources, which might then have been derived from the adoption of judicious commercial regulations, adapted to the new state of things in which the country was placed. During the war, we enjoyed a monopoly of the commerce of almost the whole world and much of that commerce which is now irretrievably lost, and gone into foreign channels, might have been retained by good and proper management. The great object of Mr. Pitt was, to make this country the emporium of commerce, by means of the warehousing system; but instead of encouraging foreigners to deposit their commodities here, by the most liberal treatment, the chancellor of the exchequer injudiciously retained duties, which though properly imposed in time of war, when we commanded all the commerce of Europe, were obviously ill adapted to a state of peace when all Europe were our rivals. By continuing such duties, and various regulations which operated as duties the warehouseing system has been discouraged and diminished. No stronger proof can be given of this fact, than that the stock of the London Docks, to which this commerce is principally confined, was during the war at 127 per cent, and since the peace has fallen to 60 per cent. At present it is something higher; but this is owing not to the increase but to the stagnation of commerce; for their warehouses are full, because goods cannot be sold; and thus the increase of their profits arises. not out of the prosperity but the distress of the commercial part of the community. The chancellor of the exchequer did indeed apply himself to one commercial subject, a new consolidation of the Custom-house duties. This, in point of fact, was a long string of additional taxes, under the guise of commercial regulations. No sooner was this compilation printed and circulated, than the right hon. gentleman's house was besieged with deputations of merchants engaged in different branches of commerce, praying to be heard against various parts of his intended plan, and predicting that the most injurious consequences would result from its adoption. One instance will suffice to show the want of policy with which these new rates were framed; that the duty on tallow, the staple article of our ally Russia, was doubled. The merchants trading to that country were seriously alarmed, lest this tax should provoke the Russian government to retaliate, and lead to a less favourable tariff on goods imported from Great Britain into Russia, than we now enjoy. The right hon. gentleman felt himself so annoyed by the endless importunities and remonstrances of different parties against his new consolidation rates, that at length he got rid of them all, by giving an assurance that his plan should not be proceeded upon during that session of parliament; nor indeed has it been heard of from that time to the present moment. Thus terminated his grand effort for the benefit of commerce. In finance, he has brought forward no regular plan for making the revenue equal to the expenditure, but has resorted to a series of temporizing expedients, just to put far away the evil day; and has kept the country in the dark as to the real state of their affairs. However the necessities of the war might justify the continuance of a depreciated circulating medium, with those necessities that system ought to have ceased. In 1816, the period fixed by parliament for the resumption of cash payments, anticipation, as is frequently the case, produced the effect of reality. All the foreign exchanges were in our favour, the market and Mint price of gold were nearly the same, the value of all commodities fell, and the pressure and distress that necessarily followed occasioned great losses and many failures. All the inconvenience and suffering that must be expected to attend a return to cash payments were gone through, and that desirable object might then have been obtained without farther sacrifices. But the chancellor of the exchequer at that time had different views, and flattered himself that he should be able to effect a reduction of the interest on the 4 and 5 per cents; an object perfectly incompatible with the resumption of cash payments. To accomplish the former, it was necessary to increase the amount of the paper circulating medium, or in the common phrase to make money plentiful. To accomplish the latter, it was necessary for the Bank to restrict their issues, and make money scarce. The right hon. gentleman having determined on the course he would pursue, issued exchequer bills to a large amount, which he prevailed upon the Bank of England to purchase, who thus forced an additional quantity of their notes into circulation, so that their amount in time of peace exceeded what it had ever been in time of war. Owing to the competition of the Bank in the exchequer bill market, the interest upon these securities fell to 2 per cent; bills bearing 3 per cent interest, selling at 1 per cent premium. Many capitalists, rather than accept this reduced rate of interest invested their money in the funds, and the consols rose in 12 months from 63 to 83. Others purchased any commodity which they thought offered a prospect of profit; and these speculations which were carried on to an unprecedented extent, raised the price of different articles, and thus operated as a tax upon the public. In this state of things, the right hon. gentleman began to flatter himself that the holders of the 4 and 5 per cents would be glad to accept a lower rate of interest than they at present receive, and that he should succeed in the accomplishment of his object, but just about this time; an advantageous employment abroad offered for that capital which could no longer find it at home. Large investments were made in the foreign loans negotiating by different continental powers; and heavy sums were also employed in foreign navigation and commerce. A sudden revulsion then took place, the public funds fell, and the right hon. gentleman's plan proved abortive. He did indeed make a saving in the interest of exchequer bills, but this was more than counterbalanced by the increased price at which he employed the sinking fund in the reduction of the national debt. So that the only permanent results of this attempt were, great fluctuations in the value of property, to the distress and ruin of many; and that a vast amount of British capital, which had formerly given support to public credit, manufactures, navigation, and commerce here, has been sent to perform those useful offices in other countries. The most important functions of the chancellor of the exchequer, have lately been transferred to committees of this House. The finances are under the care of the finance committee, whose reports are made from time to time, and serve as the foundation of his financial measures. The resumption of cash payments is referred to another committee, so that he really appears, in a great degree, to have abdicated the duties of his office. I felt it my duty to make these observations, in answer to the appeal of the noble lord. Of his majesty's ministers in general, I think highly; and consider them as filling their different departments with great honour to themselves, and advantage to the country. I wish, however, to separate the chaff from the wheat and therefore cannot join in a vote of censure upon them, but neither can I give a vote which would imply my approbation of the conduct of the chancellor of the exchequer, whom, in my, opinion his colleagues ought to consider as a second Jonas and that they have no alternative but either to throw him overboard or to sink with him. Under these circumstances, I shall vote with the hon. and learned member opposite for the previous question.

Mr. *Maberly* said, that he should vote for the motion, because he felt that the state of the country required to be investigated. The country had, in fact, no sinking fund, and if the House would but contemplate the event of a war under such circumstances, they must acknowledge the difficulty in which we were placed. The report of the committee had alluded to the balance of the sinking fund, but he believed it would be found there was none. From what sources then, he would ask, could they draw a revenue? In the last parliament 11 millions were expended in drawbacks and bounties, and what had they produced? These were fair topics for inquiry. He might be told that inquiry was now on foot, but the committee now examining was not appointed or occupied in reference to economy, but with a view to regulation. If the government was resolved to come to the people for taxes, he thought it indispensable that the lower orders should be relieved, and that the higher should bear the burthen. This was the only way in which provision could be made against the difficulties with which the country was threatened. The lower and middle classes could not afford any more. The best way of proceeding was to meet our affairs boldly, and as his majesty's ministers had not done so, he should vote for the inquiry into the state of the nation.

Mr. *Bankes* described the question as a direct attack on the party which now administered the government; and as he had studiously kept aloof from connecting himself with any party, he should offer his unbiassed opinion on the point at issue. He agreed with those who stated, that the present parliament had as little of party spirit in its composition as any parliament that had ever sat; and he believed that if other parliaments had been similarly constituted, many of the evils under which the country now laboured would have been prevented. The present motion he thought premature, because one of the leading subjects which it embraced, the subject of finance was already fixed for Friday. It was contended, that the circumstances of the times required a strong government, and that his majesty's ministers did not stand fair with the country; but he believed that they stood at least as fair with the country as the gentlemen on the opposite side. It was under the present ministry that the enormous power of France was crushed. With regard to the expense of the present peace establishment, the House would do well to consider what the expense of a peace establishment must have been if that power was not subdued. He could not see any practical utility in coming to the vote proposed; and the administration were at least entitled to the gratitude of the country for this reason, that they had negociated a peace by which the nation was placed in a higher degree of estimation than at any former period of its history.

Mr. *Williams* said, he should support the motion, because if he did not do so, he might be supposed to sanction the measures of the right hon. gentleman opposite, which he was unwilling to admit.

Mr. *Canning* rose and said:—

The motion, Sir, of the right hon. gentleman, as fairly explained by himself, and as understood by almost every hon. gentleman who has taken part in this debate, is, to call upon the House to exercise one of its highest constitutional functions—to sit in judgment on the character, and pass a verdict on the conduct of the ministers of the Crown. Some attempts have indeed been made in the course of the discussion, to diminish the force of the right hon. gentleman's explanation, and to detract from his just admissions. But that diminution and that detraction cannot be allowed to weigh against the avowal of the hon. mover; who puts no other interpretation on his own object than this—that the decision of the House this night involves the fate of the existing administration. Lest any mistake arise on this point,—lest any hon. member should be unwittingly led to adopt a measure of which they do not mean to approve, I think it right to repeat, on my own part, and on the part of my colleagues, what has been most candidly and distinctly declared by the right hon. gentleman, that the issue of the division this night, if affirmative of the proposition brought forward by the right hon. gentleman, will pronounce the dissolution of the government which now possesses the confidence of the Crown. Do I mean on that account to impute any blame or any improper motive to the right hon. gentleman? No such thing. The present proceeding is an acknowledged and constitutional mode of ascertaining the sense of parliament on the conduct of the administration of the country. If there is any unfairness to be complained of, it certainly is not in the nature of the motion, but in the time and in the circumstances under which it is brought forward.

An hon. gentleman who spoke late in the debate seems to think that he may support the motion without passing a sentence of condemnation and dismissal on his majesty's ministers. With this qualification I, Sir, do not presume to find fault: but I do think myself entitled to desire that all those who may think with the hon. gentleman will take an opportunity of distinctly expressing that opinion, lest by their votes, if unexplained, the House and the country—who will unquestionably construe the motion according to the general understanding of it, and according to the right hon. mover's own exposition of its intention and effect,—should be deceived with respect to the object which those whose votes are thus qualified have in view. Another hon. gentleman fancies he sees a way of escaping from the difficulty, by distinguishing between his general approbation of his majesty's ministers, and the abhorrence which he feels for the chancellor of the exchequer, in consequence of the London Docks not being so full as usual, and still more on account of the dastardly imbecility with which my right hon. friend has recoiled from a double duty upon tallow. Torn as his agitated bosom was by these conflicting sentiments—by a consciousness on the one hand, of the obligations which he owed to ministers for their general conduct and his indignation on the other, at these particular and reprehensible backslidings of the finance minister, the hon. gentleman declared that he saw no means of evading his embarrassment but by voting with an hon. and learned gentleman (Mr. C. Wynn) for the previous question. Unhappily, however, even this mode of retreat is not left open to him; for that hon. and learned gentleman has not moved, nor does he intend to move, the previous question. He did, indeed, mention such a question as moveable, and as not inapplicable to the motion before the House, but after propounding the matter gravely, and weighing it deliberately, he resolved to have nothing at all to do with the division, but to go home to bed.—If, therefore, the hon. gentleman is determined to follow the hon. and learned gentleman's suggestion, he must follow him not into the lobby but to his chamber. "Misery," as Trinculo says, "acquaints a man with strange bedfellows;" and when the hon. gentleman shall be reclined on the same pillow with the mover of the imaginary motion which he is so anxious to support, they may condole with each other on the difficulties by which they fancy themselves surrounded, and eventually perhaps may make up their minds, though somewhat too late, as to the vote to be given on a question on which, of all questions in the world, it seems most easy to come to a decisive opinion.

I have said that if I were disposed to complain of any thing in the right hon. gentleman's motion, it would be only of the time and the circumstances under which it is brought forward. But, in saying this, I beg to be understood as founding my objection not on the general situation of the country and of the world, but merely on the particular state of public business in parliament. This I think it necessary to premise, lest my observations on the proposition and speech of the right hon. gentleman may be misunderstood. The course of argument which has been pursued by the right hon. gentleman is this:—that the country stands, both internally and externally, in a situation of extraordinary difficulty and even peril; a situation demanding all the attention which the most able and experienced minds can bestow upon it. I am very ready to admit that the internal situation of the country is full of difficulties; but they are not insurmountable. There is nothing in that situation which ought to lead us to despair. I admit also that it is impossible to look through the world without perceiving that there may be some latent and not yet unfolded grounds of foreign embarrassment some distant chance that the exertions which have been made for the establishment and preservation of general tranquillity, however strenuous and ardent, may be frustrated at some period more or less remote, by occurrences, difficult to foresee, and not possible to be guarded against. Who will undertake to say that at this very moment some unperceived danger may not be gathering over the country? and when was there a moment in the history of the country at which such an undertaking could be confidently hazarded? In making these admissions, therefore, I beg to be understood as not alluding to any specific circumstances of difficulty or danger; but merely as not opposing to the vague suppositions of the right hon. gentleman, any assurance that might be understood as intended to deprecate discussion or to divest the right hon. gentleman's motion of the character and importance which he has assigned to it. Whatever may be the grounds, or whatever the amount of the apprehensions reasonably growing out of the present situation of affairs—in one thing I most cordially agree with the right hon. gentleman, that nothing could more effectually tend to preserve the tranquillity now so happily prevailing throughout the world, than an impression that we should not shrink from war in case of necessity. To this end it is unquestionably indispensable that our financial system should be sound. And to make it so, it is no doubt necessary to purge it of its defects, to repair its infirmities, and, above all things, to give such an ample and undisguised explanation of its real condition, as may render it perfectly clear and intelligible, not only to this country, but to the world. All this is as strongly felt by his majesty's government as by the right hon. gentleman; and the only matter of which they have a right to complain in respect to the present motion, is, that it is brought forward prematurely, and if not with the purpose, certainly with the effect, of intercepting and anticipating that exposition of the whole of our system of finance, which it is the undoubted duty of the ministers to bring forward, and which it is notorious that they will in the course of a few days submit to the consideration of parliament. The right hon. gentleman has so timed his motion as to enable himself, whenever this exposition shall be made, to exclaim, "Aye, this flows from my motion; just as the inquiry into the affairs of the Bank was the consequence of my former notice." As to the origin of the inquiry into the affairs of the Bank, that question was disposed of at the time and I will not now weary the attention of the House by re-arguing it: but as to the financial statement, I can assure the right hon. gentleman that nothing but the obvious necessity of first completing the investigation of the committee on the Bank and of determining the character of the future currency of the country before any solid and permanent system of finance could be established, has prevented my right hon. friend, the chancellor of the exchequer, from proposing to the House the plan of finance which has been prepared, not merely for the present year but for the whole period of peace, whatever may be its duration. My single objection, therefore, to the fairness of the motion is, that it endeavours to take from ministers the initiative which belongs to them on this momentous subject; on which (as the right hon. gentleman himself most justly argues) the whole view of the state of the country, external as well as internal, depends.

The right hon. gentleman has however, avoided entering into any examination of the labours of the Secret Committee, or into the much agitated question respecting the currency, or into the details of our financial situation. In this abstinence I will imitate him: and having merely protested against the implication thus unfairly conveyed in the motion, that the right hon. gentleman's interference (however great his talents in that line, or however laudable the application with which he has directed them to that object) was necessary to obtain for the House and for the country a prompt and full examination of our financial wants and means—I will proceed to follow the right hon. gentleman through the wider range and more general topics of his speech.

The right hon. gentleman appears to think that in consequence of the alleged exhaustion of our finances, opportunities have been lost of asserting the interests and vindicating the honour of the country. On this point the right hon. gentleman did not indeed express himself in very direct terms. He was contented to "Just hint a fault and hesitate dislike." He just made the allusion and left it to work its own impression. He said that two British subjects had been murdered under the forms of justice by a general of the United States. The act was not characterized by the right hon. gentleman in terms of too strong abhorrence; but for what purpose was it thus alluded to in a motion for a committee to inquire into the State of the Nation; unless for that of insinuating, that there had been something in the forbearance of the British government which could not be accounted for but by a consciousness of absolute impotence? And yet the right hon. gentleman himself confessed his doubts whether, by the law of nations, the interference of the British government on this occasion would have been justifiable. The right hon. gentleman's doubts are well founded. His majesty's ministers have not been the less diligent or the less anxious in their deliberations and researches, to ascertain whether consistently with the law of nations, they could interfere, than if they had (as was the first natural impulse in every British bosom) made this country and America ring from one end to the other, with cries for redress. Let it not be imputed to his majesty's ministers that they alone of all Englishmen—of all mankind—felt not the indignation at the act in question which it justly merited; that the moral guilt and baseness of that atrocious proceeding appeared to them in any other light than to the plain understanding of every right-minded individual; or that it would not have been easier—ten thousand times more easy as well as more grateful to have followed at once where their feelings led the way, than to have curbed and questioned and disciplined those feelings by a reference to their duties and obligations. But if the unhappy men who were the victims of this inhuman outrage, placed themselves by their own act out of the protection of their government; if there was no right of interfering in their behalf which would have justified an appeal to the last extremity by which atonement, if not granted on a first requisition, must be enforced; if therefore remonstrances disregarded would not have justified resentment; if to have called for reparation would have been to enter upon a course from which, when unsatisfied, we should have had nothing to do but to retire; surely it will be felt that the dignity of the country would have been ill consulted by a proceeding at once fruitless and humiliating, and surely credit may be given to us for having discharged—reluctantly discharged—our duty to our country as ministers, without imputing to us an insensibility which would have disgraced us as men.

Again, as to the cession of the Floridas by Spain to the United States, the right hon. gentleman spoke, not as if he himself thought, but as if it might be thought by some one, that the British government ought to have interfered for the purpose of preventing that cession. Unquestionably it would have been more to the interests of this country, that the Floridas should have remained in the possession of Spain. But by what right, by what construction of the law of nations, independently of the specific stipulations of particular treaties (and none such were in this case in operation), could the British government interfere to prevent a transfer of territory between independent powers; unless it had been prepared to make common cause with the nation of whom the cession was required? It is, I believe, pretty generally admitted on all sides, that ministers have rightly abstained from any interference in this matter; but if no blame is imputed to them, why was the subject introduced into the right hon. gentleman's speech, in a manner which either meant nothing, or meant that there might be something to find fault with?—On another point, the right hon. gentleman was less equivocal. He clearly did mean to impute blame to ministers, for not having openly espoused the cause of the South American provinces. When I recollect, Sir, all that has been so often declaimed in this House, on the advantages of peace, on the dangers of war, on the impropriety of interfering in the concerns of foreign nations,—when I recollect all those brilliant common places with which the ears of every hon. member present must still be ringing.—I confess my astonishment at the tone of the right hon. gentleman's remarks on the subject of Spanish South America. I am astonished at the suggestion coming from a statesman, not liable to be misled by the ebullition of any very romantic or fanatical spirit—that the government of this country ought to have committed its honour and resources in a new, and what I must call unnecessary war against Spain, for the purpose of fomenting the struggle between her and her colonies. I have heard of many wars rashly undertaken; I have heard of wars of interest, wars of temper, wars of honour, and wars of speculation; but I never yet heard of so mad a proposition as that the cause of the insurgents in South America (I do not mean by the term "insurgents," to give any opinion as to the merits of the cause) should be taken under the protection of Great Britain! Putting out of question the moral right of such an interposition, have any of these sanguine enterprisers, who contend for alliance with the insurgents, condescended to calculate the magnitude of the undertaking—the distance—the risk—the cost—and that to an "exhausted country?" No—the British government had but one wise, as but one honest course to pursue in this contest. They have not interfered to assist either party; but they have repeatedly offered their good offices with a view to reconcilement through an impartial mediation. That mediation has unhappily proved hopeless; nor was it our business to obtrude it undesired—nor would we, nor ought we to undertake to give effect to it, on condition of enforcing it on either side by arms. Amicable intercourse has been kept up with every part of South America, to which our flag has access; and I have no doubt that a strong sense is entertained of the pacific and impartial dispositions of England throughout the continent of South America, unless where her character has been maligned, and her motives distorted for purposes of local delusion, or of personal interest. But, on the other hand, the armaments fitted out from this country in aid of the South Americans, have undoubtedly created, (and have been most diligently and unfairly employed to create) an impression that the wishes and opinions of the British government were embarked with the adventurers of which those armaments were composed. Such a supposition is wholly inconsistent with the neutrality professed and observed by the British government, and may require contradiction; but it is unquestionably a conclusive answer to the imputation of partiality against the South Americans. The wisdom, as well as the good faith of this system of neutrality, must, I think, be obvious to every one, except to a race of petty politicians (I certainly do not mean to include the right hon. gentleman in this description) who hold, that the present is a fine opportunity for retaliating upon Spain, the conduct which we experienced from her during the contest with our North American colonies. Yes; we have retaliated; but I trust on a more just, at least a more Christian principle. Our retaliation has been to endeavour, by mediation, to heal the wounds which discord had inflicted on both parties in the quarrel. Would to God, that our offers had been accepted! Would to God that the parties who were the objects of it, had yielded to the suggestions of friendship and sound prudence; and that instead of tearing each other to pieces with a waste of blood, such as few wars have occasioned, some compromise could have been effected, favourable at once to rational principles of liberty, and to the peace of the old world and the new! In one respect, his majesty's ministers are certainly guilty of the charges brought against them. In their transactions with South America, they have abstained from endeavouring, by a commercial treaty, to turn the troubles and distresses of a struggling people to the advantage of this country. The assistance which they did not think it right to grant, they would not be tempted to sell. And so far have they carried their forbearance in this particular, that in all their repeated offers of mediation, while they have uniformly stated freedom of trade, as one of the conditions which justice would stipulate for the colonies, they have as uniformly disclaimed for Great Britain any separate or partial commercial preference. Let peace be established, let trade be open—competition, enterprise, capital would ensure her due share of advantage to this country.

These, I think, are all the questions of external policy to which the right hon. gentleman has adverted—with the exception of those general reflections on the state of Europe, which have been already satisfactorily noticed by my noble friend, the secretary of state.

To return to internal matters. The manner in which the right hon. gentleman brought forward his motion, rendered it almost impossible wholly to preclude discussion on the affairs of the Bank, the currency, and the finances. Nor has the caution which the right hon. gentleman himself observed on that subject, been imitated by those who followed him. To their remarks, however, I do not mean at present to reply. Nor shall I dwell particularly on the more unimportant charges which the right hon. gentleman has copiously flung out against his majesty's ministers; but shall confine myself to the pervading topic of his speech. According to the right hon. gentleman, not only are his majesty's ministers, taken as a whole, incompetent to bring the resources of the empire into full and healthy play, whether in respect to its internal or external polity; but their deficiency is rendered still more deficient, and their imbecility more weak, by divisions among themselves: there is no point of union among them, no common principle of action. The country ought therefore to look to an administration all strength—all unanimity—the members of which should not have taken different sides on any question of great political interest.—But where is this perfect administration to be found? Not certainly in the persons of the right hon. gentleman and his friends around him. Be it remembered, that it is not I who allege this matter of accusation. But if it be indeed absolutely indispensable for the conducting affairs wisely and steadily, with prudence and decision, that there should be no difference on any important subject among the members of an administration; and if it shall farther appear, that such differences would nevertheless exist under any possible administration that could be formed out of the materials now available in this country; the result, I fear, will be not only that the present ministers cannot go on, but that the country must altogether despair of an efficient and serviceable administration. The truth however, I believe to be, that those theorists tax human nature too high, who require, among any number of men capable of forming an opinion for themselves, an undeviating unanimity of opinion upon every one of the various and complicated questions that can occur in the management of the affairs of this extended and diversified community.—An agreement in general principles, and a concurrence in the details of practical administration, are undoubtedly necessary to give consistency to councils, and unity to action. But, upon points either purely speculative, or of comparative unimportance in practice, there may be—there must be—occasionally such differences among intelligent and instructed minds, as may render necessary mutual concessions for the sake of the public service. Measures must sometimes be shaped and modified by the comparison and partial compromise of different opinions. If the result be to present for practical adoption, and to support with frankness, strength, and union, measures of sound policy, any harshness of criticism or severity of examination into the process by which such consent may have been obtained, would be utterly misplaced—would be to travel beyond the sphere of human action into that of thought, with which human judgment has no concern. I apply these observations specifically to the instance on which the right hon. gentleman has commented with the greatest severity—the question of the resumption of cash-payments by the Bank. If the measure to be proposed on the report of the secret committee has the concurrent recommendation of every member of the administration, I know of no point of honour which calls for explanation, as to the particular opinions which may have been compromised to arrive at that conclusion, and to produce that salutary concurrence. The existence of that complete practical concurrence, on that most important practical measure, I have the happiness to announce. The right hon. gentleman may easily point out (for they are on record) the particular differences of opinion which prevailed at a former period—a period when I and the right hon. gentleman thought together on the principles of this intricate and interesting subject. I, Sir, hold unchanged the opinions which I avowed in 1811. The right hon. gentleman, I presume, has not altered his opinions—indeed, I know he has not as to principles: but yet in the secret committee, concurring as it did almost unanimously as to the practical inference to be drawn from those opinions as applicable to the present state of the question, the right hon. gentleman admitted that he stood alone. It is not difficult for one man to be unanimous: but the right hon. gentleman has much difficulty in understanding how those who, holding different opinions on a difficult and abstract subject, have nevertheless been able to agree in one common conclusion; while he, holding the opinions of the majority, had contrived nevertheless to have a conclusion entirely to himself. The right hon. gentleman has talked of the supposed disunion among the members of the cabinet, as if it pervaded every question connected with the welfare of the nation. But the fact is, Sir, that I know but one great national question, namely, that which is called the Catholic question, on which the members of administration are divided in opinion; and no man better knows the sources from which that disunion has flowed, and the attempts which have been made to remedy it, than the right hon. gentleman himself. On that question indeed, I speak my sincere sentiments, when I say, that it is hopeless to look for an united opinion in any administration which there are the means of forming. I believe I can speak with as much experience on this subject as any one in the House; and I am persuaded, that had it been possible out of the public men in the country to form an administration united on the Catholic question, and not differing widely on other questions of equal importance, that object would have been achieved in 1812. To that object, I twice in that year sacrificed what the right hon. gentleman acknowledged, and what I have no hesitation in acknowledging with the right hon. gentleman, to be the legitimate object of liberal ambition in a free state,—a share in the government of the country. Twice in that year did I sacrifice this object of ambition, for the express purpose of being the better able, either to produce (in conjunction with abler and worthier men, who earnestly and sincerely, but vainly, laboured after the same object) the union in administration of persons agreeing on this question,—or (failing that attempt) of serving the question more effectually out of office. It is not necessary to recall to the right hon. gentleman's recollection, the fruitlessness of the search after both of these objects. Every attempt at forming an administration that should be united upon the Catholic question, and at the same time upon other great principles and measures, more immediately connected with the carrying on of the public service, failed; and upon that failure the present administration was formed. In that formation, I was not included; but I speak with perfect confidence when I assert, that those who gave their support to the present administration on its formation, did so on the understanding, that every member of that administration entered into office with the express stipulation that he should maintain his own opinion in parliament on the Catholic question. Whether such a stipulation was wise or not, is another question which I will not now argue; but I will say to those who now first object to it, that they come too late. They ought to have stated their objection when the administration was framing, and not now charge as a crime that which was settled with their entire cognizance and zealous approbation. When I subsequently entered office, my opinion on the Catholic question remained unchanged; I take for granted, that the understanding which I have described, that I as well as every other member of the cabinet, should maintain my own opinions on that subject in parliament, was unchanged also; and I do not see on what pretext, having taken a course in perfect coincidence with that understanding, I could now be called upon, either by those who oppose, or those who favour the Catholic cause, to desert the ranks of the government. I feel no such obligation in point of honour; and I will go farther and confess, that after all that has passed since 1812, I should now doubt, with a view to the ultimate success of the question itself, the prudence of attempting to make it the test and bond of opinion in an administration. Although, as I said in 1812, there was no sacrifice which I was not ready to make, and which I did not make for the sake of forming an administration which should agree upon it, the difficulties in the way of accomplishing that object did then appear to me insurmountable; every succeeding year has added so much to my conviction to that effect, that if, by the vote of this night, the power of forming a new administration should be conferred on the right hon. gentleman, I venture to assure him, that he would find it less easy than he is aware, to form an administration which would be able to carry that question effectively and safely as a measure of government, and at the same time to do justice to the country in other important branches of its affairs. Indeed, the gentlemen on the opposite side of the House ceased, long before I did, either to imagine such a scheme of administration feasible, or to think it desirable—I know not which—for in 1806, when the framing of an administration was entrusted to the then leaders of opposition, they not only included, but solicited permission to include, in their cabinet, two noble lords (lords Sidmouth and Ellenborough) who were known to be decidedly hostile to any farther concession to the Catholics. If I might be allowed to state my present creed upon the subject, I would say, that I believe, not only that the difficulties of combining an administration unanimous on the question of the Catholic claims are insurmountable, but that it is not desirable, with a view to the public good, that such an administration should be formed. An administration decidedly and uniformly favourable to the Catholic claims, or one decidedly and uniformly hostile to them, would be equally likely to excite a clamour, and to engender an irritation, at variance with the best and most essential interests of the empire. In this case, as well as in many others, that which, at the time it occurred, was a bitter disappointment, has providentially turned out to be a most happy circumstance. The question is (in my judgement) gradually making its way in public opinion; and to public opinion it ought to be allowed eventually and soberly to settle the question. Such are my sentiments with respect to that question, the only important question on which any difference of opinion exists in the cabinet.

Another charge which has been brought forward against government is, that they have not had strength enough to resist the motions which have been forced upon them. Undoubtedly, the charge is true in two memorable instances, in which ministers failed in resisting the appointment of committees. Overloaded with committees of their own proposing, the kindness of the opposite side of the House, it seems, has forced upon them others which they have not been able to decline, although anticipating from them mischiefs of the greatest hazard and magnitude.—Very true—twice have these suggestions been tendered for their acceptance—twice attempted to be evaded, and twice have majorities of the House—not very large ones, it must be owned—but majorities compelled their acquiescence. If I am asked, whether this is the way to carry on the affairs of the nation? I answer, with the utmost frankness—No. A government by minorities would undoubtedly be a very new, and upon the long-run, not a very safe or efficient mode of administration. But, at the same time, there are various considerations to be weighed before a ministry can properly fix the point at which they will pledge their existence as a government upon a vote of the House of Commons. The occasion must be adequate; or they might cover themselves with ridicule. But the frequency of small occasions, I admit, would constitute an adequate case; and I admit farther, that enough of such smaller occasions have occurred, to make ministers very anxious to learn whether the confidence of the House has really been withdrawn from the existing administration, and to make them feel very thankful to the right hon. gentleman for having afforded an opportunity of trying that question upon the present motion.

If the support to be calculated on by government be only such as they experienced on the two occasions to which I have alluded; if they can rely on no other, then, no doubt, they are gone. The right hon. gentleman says, that ministers will take no hints. If they are not prepared to take the hints to which the right hon. gentleman adverts, it is not because they turn a deaf ear to them, but because they do not understand them so clearly as to be sure that they would do right in acting upon them. A series of such hints occurring in rapid succession, would unquestionably throw the government into the right hon. gentleman's hands; and if such be the intention of the House, the sooner and the more clearly it is made manifest, the better.

But there is another view in which the appointment of committees is objected to the present administration. It is said, that they are a government of committees —that they abdicate the functions of the executive authority, and fritter them away by partial delegations. It is a little hard in the right hon. gentleman thus to blow hot and cold at the same time. Does he mean that the proposal of a committee is in itself a crime in a government, and the resistance of such a proposal in all cases a duty? Does he mean that the opposition only should have the privilege of proposing a committee, and then of railing at the government equally whether they adopt or resist it? When the hon. gentlemen get into one of their *conciliabules* to devise a motion for the annoyance of ministers, do they once in a hundred times make such a motion in a direct shape for such or such specific measure? No. The constant device is, to move for a committee of inquiry; a committee of inquiry is the standing recipe for stray votes—for catching, for instance, that of the hon. member for Bramber. Bait the hook of these motions with a committee, and the fish are sure to bite. Nay, some hon. gentlemen it appears this night, are so voracious for a vote in opposition, that they even take the hook when there is no bait to cover it; when the right hon. gentleman plainly and openly tells them, that his object is not to obtain the committee which forms the pretext of his motion—that it is simply and nakedly to turn out the ministers.

But, Sir, I deny that ministers have resorted to committees except when they have found themselves utterly unable to discharge the detailed duties entrusted to those committees. They shrink from no just responsibility; they neglect no attendance; they share no discussion in this House;—but it ought to be borne in mind how great a change has taken place of late years in the business of the House of Commons—a change which has thrown a burthen of business upon ministers which no physical or mental constitution can adequately sustain. I call upon those members of the House of Commons who recollect the good old times when the destinies of the empire were swayed in parliament by Mr. Pitt, or Mr. Fox, to say whether the labours of an administration in those days were to be compared with what they are now. The ministers were not then harassed and perplexed by a complication of daily business, with the whole of the details of which, however trifling, it was expected that they should be intimately and accurately acquainted. Their time was not then vexatiously wasted on questions of complaint and cases of pretended grievance such as a pied-poudre court would not entertain; such as a court of conscience would dismiss without the award of a farthing damages. It is now expected that ministers should come down to the House every night fully possessed of details of facts, and characters of individuals concerned, and histories of the transactions of years, whenever any person blasted in character may have prevailed on an hon. member to present a folio volume of a petition, charged with falsehoods and libels; and which, after three or four hours wasted in fruitless conversation, is found to be unfit to lie upon the table. Thus the marrow of the day is consumed: and then, after three or four hours passed in a weary, vexatious. useless debate, the ministers jaded and fatigued, as they must necessarily be, are expected to proceed to public business, with a host of new opponents, who *plene pasti*, come like giants refreshed to the battle; whilst the unfortunate minister, exhausted and *impransus*, is to enter upon a new course of wrangling, happy if at last he can get through one-third part of the real business of the day. It is not then in these cases the weakness of the minister of which complaint ought to be made, but the weakness of man; for human strength is unable to endure this wearying, worrying, uninteresting, and unprofitable course of exertion. The right of petitioning is a sacred right: but every body must feel to what an extent in these days the abuse of it is carried. That abuse is arrived at such a height, that, in self-defence, if the House values its time which is the public property, and its functions which are for the public benefit, it must be remedied one way or other. While government is thus daily harassed and tormented, can it be matter of surprise that many important questions which require examination in detail, are referred to the consideration of committees? How else can they be beaten out, and sifted to the bottom? Neither time nor human strength would avail for such a task.

"Why," it is said, "do not administration take up the subject of the poor-laws?" "Why" it is asked with admirable consistency on the part of the hon. gentlemen opposite—"why do not government, foolish and ignorant as they are, undertake to settle the most extensive and important problem that ever came before parliament? Weak and contemptible, why do they not carry a measure which Mr. Pitt, in the plenitude of his power, found too much for him; in which Mr. Whitbread, in the vigour of his strength, and backed by the influence of administration, found himself utterly unable to make any way? With such examples before them, why do not government decide off-hand a question growing out of the usage of centuries, interwoven with the habits and deeply rooted in the prejudices of different classes of the people?"—A reference to what has actually taken place will be the best answer to these queries. It will be seen, that the subject even in the neutral hands, as I may call them, of my right hon. friend (Mr. Sturges Bourne) whose knowledge and industry so well qualify him for the task, and whose firmness and courtesy have conciliated the esteem and good will of all who have had to act with him upon the subject, who has conducted the discussions upon it without the shadow of an allusion to any topic that could stir up party feeling—it will be seen even in his hands, the principal measures emanating from the committee over which he presided, have failed of receiving the support of the House—and that the gentlemen on the opposite benches are divided in opinion respecting it. What is the inference? Simply this: that if government had brought forward such a proposition, and had attempted to carry it as a party or ministerial question, the benches opposite would have been, night after night, in as full array as they are at the moment at which I am speaking; and those who have not been able to agree on a question by the decision of which no political triumph was to be obtained, would have found it easy enough to concur in opposing—where opposition was stimulated by the hope of discomfiting their political antagonists. Gentlemen well know with how many inflammable and inflammatory topics the discussion of the poor-laws is nearly allied; how much food for declamation would have been furnished against the weakness, the inconsistency, the corruption of ministers, if they had hastily adopted any plan on a matter so deeply interesting to the whole nation, and perplexed by so many contradictory theories and conflicting interests. The time may come when, after the whole of this great subject has been well and thoroughly examined by the persons most capable of examining it advantageously, by persons bringing local knowledge and practical experience in aid of general principles of theory and law—it may be the duty of the executive government to select that one out of the different suggestions propounded by the committee, to which they will give their support, and which they will endeavour to persuade parliament to pass into a law. But of all the subjects of legislation on which government ought not hastily and prematurely to interfere, without ascertaining and if possible carrying with them the prevailing sentiment of the country—this of the poor-laws appears to me to be the one on which it would have been the most unadvisable to take a precipitate course.

But to turn from these specific charges to the general scope and object of the right hon. gentleman's motion. Suppose for a moment, that it were carried, what is the amount of advantage, let me ask, that would arise from the change of administration? Suppose the right hon. gentleman and his friends in power; is there no question like that of the Catholic Claims or the Scotch Burghs which might produce some dissension in their ranks? What do they think of parliamentary reform? What do they think of another Westminster election? It is true that the hon. baronet, one of the members for Westminster, is this night with them; but it is only on the understanding that they will support his darling measure of parliamentary reform. After some hesitation, and a sort of whispering negotiation, carried on openly in the face of the House, it appears, that the right hon. gentleman has acceded to the hon. baronet's conditions, and that a coalition has been established between them. Suppose then, the new coalition ministry to be formed, who in point of talent—yes, who in point of talent, of rank, and of consideration in the country, is better fitted to be a leading member of that cabinet than the hon. baronet? Well then, every body knows that one of the first questions which the hon. baronet, when minister, would bring forward, would be the great subject of parliamentary reform. What then would be the conduct of the Whig members of the cabinet? Either they would come forward in a body to support the plan of their hon. colleague, or they would flatly contradict their professions during a long series of years, and by refusing to support a reform in parliament, create a division in their administration on what I presume the right hon. gentleman will allow to be one of the most important, the most comprehensive, the most vital questions that ever "agitated the country." What would this be but the very same reproach which they so unmercifully cast on their unfortunate predecessors? An honourable member has said, that if the ministers are popular in the House, the Whigs are popular in the country. Really, sir, I should have thought that popularity was the last topic that the Whigs would have suffered to be put forward as one of their pretensions to come into power. I do not presume to say, that the ministers are particularly popular, or that I am so, more than the rest of my colleagues; but I have myself gone through the ordeal of a popular election, without the accompaniment of mud and grenadiers. I was not subjected to such striking proofs of favouritism, as those idols of the people, the Whigs: my retreat was effected with more safety than that of the routed cavalcade, who, with laurels in their hats, and brickbats at their heels, bedaubed with ribbands and rubbish, were only rescued from their overwhelming popularity by a detachment of his majesty's horse-guards! Suppose, then, these mud-bespattered Whigs were to come into office instead of the present ministry, where after all would be the advantage worth contending about? Is it the trifling difference between an unpopular and a pelted administration?—The right hon. gentleman has confessed that the present is a trial of strength; and I trust that the division of this night will show which party, in the opinion of the House, is most likely to give stability to our internal quiet, and permanence to our external glory; and to diffuse a general satisfaction, and general confidence throughout the country. With a view to deciding this question of preference aright, the right hon. gentleman has said, that it would be the duty of the committee to take a retrospective view of the transactions of past years. Yes!—and in fulfilling that duty, the committee would have, on the one side of the retrospect, to count nations rescued, and thrones re-established; battles won with matchless courage, and triumphs unparalleled in their splendor and consequences. They would see this little island, after having saved the continent, watch with steady tranquillity over the tranquillity which it had restored.—They would have to enumerate, on the other side of the account, a series of persevering objections to every measure by which these glories and benefits have been obtained; a succession of theories refuted by facts, and of prophecies falsified by experience: an uniform anticipation of disaster and defeat, contradicted by an uniform achievement of successes unequalled in our history.—The proposed committee, if appointed, would have to choose between the two parties to which these attributes respectively belong. But what need of a committee to make the option? The whole subject is before the House; and the House may at once come to the decision. All that I ask for my friends and for myself is—a decided course. If ministers are found wanting, let them be dismissed kindly (for promptitude in such a case is kindness) with a clear and striking majority. If the course which they have taken is approved, and if they are to be retained by the vote of this night in office, let them be retained with the assurance of receiving such a support as will enable them to conduct the affairs of the country with dignity and advantage.

Mr. *Tierney* rose to reply. He said, that though he should not attempt to follow the long and able speech of the right hon. gentleman, as well because much of it was irrelevant, as because the House was at that hour so exhausted, he thought it necessary to set the right hon. gentleman right on some points which he had misrepresented. The motion had been represented to have for its object, by some, to turn out ministers; by others, merely a committee of inquiry. But he (Mr. T.) had explained, that he thought it necessary, in the present state of public affairs, that the House should mark its own sense of the situation of the country; and he had entirely separated this question from the expression of his own personal opinion. He had stated very truly, that it would be most gratifying to him to see the ministers turned out; but he had at the same time shown, that gentlemen might consistently vote for the motion, who thought that the opposition ought all to be hanged. After the noble lord and the right hon. gentleman had expressed their opinion, that there was no prospect of the question being carried against them, the right hon. gentleman very magnanimously asserted, that if it was so carried he should resign—a promise which he had never made before, and which it was lucky he had not made on many other questions. But when the right hon. gentleman made this declaration, he (Mr. T.) did not observe that involuntary shudder which might have been expected at the idea of such a loss to the country. The House in general seemed rather surprised at his boldness, than sorry for his resolution. If the right hon. gentleman and the noble lord obtained this majority which they foretold, they would have no cause to triumph in it; for, with the exception of these two ministers, whom, according to their own account, it was the object of this motion to turn out, not a member had given any reason why they should not be turned out. The gentlemen who sat around them had held their peace, and thought that all they could do was to give a silent vote for those whom they would not venture to defend. But it was said, that the party with which he (Mr. T.) was connected, was more unpopular than the administration. It fell, indeed, under that sort of unpopularity, which always attached to the opposition of the day. It had the church and the influence of the Crown against it; but he would say "give us these same means of popularity, and you shall not keep your offices for a week" [hear!]. He would let the votes which should that night be given be sifted; he would have it examined who held offices and who had connections with the court, and he had not the least doubt that the party with which he was connected, would be found to speak the fair, unbiassed sense of the House. The noble lord had attributed to him a wonderful power; he had compared the gentlemen around him to the Mahrattas, and had given him the credit of bringing them under perfect discipline. Now, as to the discipline which the noble lord had spoken of among the ranks of opposition, he knew of none; all he knew was, that a general good-will towards each other, an ardent zeal for the interests of the country, actuated his friends, and brought them regularly and willingly to their posts; while, with the most extraordinary exertions of whipping, the noble lord could hardly obtain the occasional assistance of his friends and partisans. As to the Westminster election, when the Whigs stood on their own foundation, as in the case of his lamented friend, sir Samuel Romilly, there was no murmuring against them, no pelting, all was joy and acclamation: it was not till the Whigs were joined by the Tories that they lost the popular favour: it was not till they were incumbered with ministerial help, that it became necessary to have the accompaniment of dragoons. The right hon. gentleman then went at length into the conduct of ministers in the Bank committee: he said that the plan to be proposed to the House was not their plan; that it came, nobody knew how or whence; and, according to the ministerial system of looking out for windfalls, was immediately swallowed by the chancellor of the exchequer and his noble colleague, though he (Mr. Tierney) sincerely believed; that in their hearts they were not friendly to it, but adopted it because they had not any thing to suggest of their own. The right hon. gentleman then denied that his object was merely to turn out the ministers, though he thought that it would not do much credit to the House if their votes should this night show that they had more confidence in the present holders of office than sympathy with the overwhelming distresses of the country. It had been said, that no discordance could be proved to exist in the cabinet but on the Catholic question; but was not that enough? The right hon. member then proceeded to repeat and explain what he had said in his opening regarding Arbuthnot and Ambrister, the Floridas and South America. The noble lord had required that ministers should be tried, not by their conduct since peace, but during the whole war. Be it so, and then what glorious warriors they would appear! Who had managed the late war with America?—the present ministers. Who the splendid expedition to Walcheren?—the present ministers, and above all the noble lord, of whose military talents a right hon. gentleman, (Mr. Canning) had not then thought so highly. In truth, ministers had no more claim to credit than the rest of the parliament which voted the money for the supply of the duke of Wellington, upon whom ministers had the good fortune to light, and who had achieved all the glory which they now wished to appropriate without the slightest acknowledgment.

The House divided:

Ayes ........................ 178
Noes ........................ 357

Majority against the Motion 179

## *List of the Majority and Minority.*

### *Majority.*

Alsop, Lewis
Alexander, J.
Allan, Alex.
Apsley, lord
Arbuthnot, C.
Ashurst, W. H.
Bagwell, W.
Bankes, Henry
Bankes, G.
Barne, M.
Barry, J. M.
Bastard, E.
Bastard, J.
Bathurst, S.
Bathurst, C.
Beaumont, T. W.
Beckett, J.
Bective, earl of
Bent, John
Bentinck, lord F.
Beresford, lord G.
Beresford, sir J.
Bernard, lord
Bernard, Thos.
Binning, lord
Bouverie, hon. B.
Blackburne, John
Blair, J. H.
Blair, James
Blake, V.
Boswell, A.
Bourne, W. S.
Braddyl, T.
Bradshaw, R. H.
Broadhurst, John
Brogden, J.
Browne, J.
Browne, Peter
Brownlow, C.
Bruen, H.
Buller, sir E.
Burgh, sir U.
Burrell, sir C.
Burrell, W.
Butler, hon. J.
Buxton, T. F.
Buxton, J. J.
Callaghan, G.
Calthorpe, hon. F.
Calvert, John
Campbell, A.
Canning, rt. hon. G.
Carroll, John
Cartwright, W. R.
Casberd, R. M.
Cockerell, sir C.
Collet, E. T.
Collins, T. P.
Castlereagh, vis.
Cecil, lord T.
Chaplin, C.
Chichester, A.
Chute, W.
Claughton, T.
Clerk, sir G.
Clinton, sir W.
Clive, lord
Clive, R. H.
Clive, H.
Clive, W.
Cockburn, sir G.
Cocks, hon. J. S.
Cocks, hon. J. S.
Cole, sir G. L.
Colquhoun, A.
Colthurst, sir N.
Compton, earl
Congreve, sir W.
Conyngham, lord F.
Cooper, E. S.
Cooper, R. B.
Copley, J. S.
Cotterell, sir J.
Courtenay, T. P.
Courtenay, W.
Cranbourne, lord
Crawford, A. J.
Crawley, Sam.
Crickett, R. A.
Cripps, J.
Crosby, J.
Cumming, G.
Curzon, hon. B.
Cust, hon. E.
Cust, hon. P.
Cust, hon. W.
Croker, J. W.
Dalrymple, A.
Daly, J.
Davenport, D.
Davies, R. H.
Dawkins, J.
Dawson, G. R.
Dent, John
Domville, sir C.
Dottin, A. R.
Douglas, John
Douglas, W. R. K.
Doveton, G.
Dowdeswell, J. E.
Drake, W. T.
Drake, T. T.
Drummond, J.
Drummond, G. H.
Dugdale, D. S.
Dundas, rt. hon. W.
Dunlop, J.
Dunally, lord
Edmonstone, sir C.
Edwards, John
Egerton, W.
Eliot, hon. W.
Ellis, hon. G. W. A.
Ellison, Cuthbert
Ellison, Rd.
Estcourt, T. G. T.
Evans, W.
Evans, H.
Fane, J. T.
Fane, J.
Fane, V.
Farrand, R.
Fellowes, W. H.
Fife, earl of
Finch, hon. E.
Finlay, K.
Fitzgerald, V.
Fitzgibbon, hon. R.
Fitzharris, lord
Fitzhugh, W.
Fleming, John
Forbes, lord
Forbes, C.
Forrester, C. W.
Foster, rt. hon. J.
Foster, J. L.
Frank, Frank
French, A.
Fynes, H.
Garvagh, lord
Gascoyne, I.
Gifford, sir R.
Gilbert, D.
Gipps, G.
Gladstone J.
Glerawley, lord
Gooch, T. S.
Gordon, John
Goulburn, H.
Graham, sir J.
Grant, rt. hon. C.
Grant, A. C.
Grant, F. W.
Grant, G. M.
Graves, lord
Greville, hon. sir C.
Gurney, Hudson
Hamilton, H.
Hare, hon. R.
Hervey, C.
Hawkins, sir C.
Heathcote, T. F.
Hill, sir G.
Hodson, John
Holdsworth, A. H.
Holford, G. P.
Holmes, W.
Homfray, Sam.
Hope, sir A.
Houblon, J. A.
Houston, A.
Howard, hon. F. G.
Hudson, H.
Hulse, sir C.
Huskisson, rt. hn. W.
Innes, John
Innis, Hugh
Irving, John
Jackson, sir John
Jenkinson, hon. C.
Jocelyn, lord
Jolliffe, H.
Jones, sir T.
Keily, John
King, sir J. D.
Kingsborough, lord
Kinnersley, W. S.
Lascelles, lord
Leake, Wm.
Legh, Thos.
Leigh, sir R. H.
Leslie, C. P.
Lester, B. L.
Littleton, E. J.
Lockhart, W. E.
Long, rt. hon. C.
Lowndes, W. S.
Lowther, lord
Lowther, hon. H. C.
Lowther, J.
Lowther, J. H.
Lushington, S. R.
Luttrell, J. F.
Lygon, hon. H.
Lygon, hon. E.
Macdonald, R. G.

Mackenzie, Thos.
Macnaughten, E. A.
Macqueen, T. P.
Magennis, R.
Mahon, hon. S.
Maitland, E. F.
Manners, lord C.
Manners, lord R.
Manners, General
Manning, Wm.
Mansfield, John
March, earl of
Marjoribanks, sir J.
Martin, sir T. B.
Mellish, Wm.
Miles, Wm.
Mills, C.
Mitchell, John
Money, W. T.
Montagu, W. A.
Montgomery, J.
Moorsom, sir R.
Mordaunt, sir C.
Morgan, sir C.
Morgan, G.
Morritt, J. B.
Mountcharles, lord
Mundy, capt.
Mundy, E. M.
Needham, hon. F.
Newton, W.
Nicholl, sir John
Noel, sir G.
Normanby, lord
Northey, W.
O'Brien, sir E.
Ommanney, F. M.
O'Neil, hon. J.
Osborne, sir J.
Owen, sir John
Paget, hon. C.
Paget, hon. sir E.
Paget, hon. B.
Pakenham, hon. R.
Palk, sir L.
Palmerston, lord
Peel, rt. hon. R.
Peel, W. Y.
Peel, sir R.
Peirse, John
Pechell, sir T.
Pellew, hon. P. B.
Perceval, S.
Percy, hon. J.
Percy, hon. W.
Perring, sir J.
Phipps, hon. E.
Pitt, W. M.
Pitt, J.
Pocock, G.
Pole, rt. hon. W.
Powell, J. K.
Powell, W. E.
Price, Rd.
Pringle, sir W.
Protheroe, E.
Raine, J.
Richardson, W.
Roberts, W. A.
Robinson, rt. hon. F.
Robinson, sir C.
Rochford, G. H.
Rocksavage, earl of
Russell, M.
Ryder, rt. hon. R.
St. John, hon. F.
St. Paul, sir H.
Scott, sir W.
Scott, hon. W.
Scott, Saml.
Scourfield, W.
Seymour, lord R.
Seymour, Hugh
Shaw, R.
Sheldon, R.
Shepherd, sir S.
Shepherd, J. H.
Shiffner, sir G.
Sibthorpe, C. W.
Sinclair, G.
Singleton, M.
Smith, T. A.
Sneyd, N.
Somerset, lord E.
Somerset, lord G.
Somerville, sir M.
Staunton, sir G.
Stevens, S.
Stewart, A.
Stewart, hon. J.
Stewart, John
Stewart, sir J.
Stirling, sir W.
Strahan, A.
Strathaven, lord
Strutt, J. H.
Sumner, G. H.
Suttie, sir J.
Taylor, G. W.
Tennyson, C.
Thynne, lord J.
Tomline, W. E.
Townshend, lord J.
Townshend, hon. H.
Tremayne, J. H.
Turton, E.
Titchfield, marq. of
Vansittart, rt. hon. N.
Vaughan, sir R. W.
Vereker, hon. C. S.
Vernon, G.
Vernon, G. V.
Valletort, lord
Ure, M.
Walker, J.
Walker, S.
Wallace, rt. hon. T.
Walpole, lord
Ward, Robert
Warrender, sir G.
Wall, C. B.
Welby, sir W.
Wellesley, W. L.
Westenra, hon. H.
Weymouth, lord
Whitmore, Thos.
Wigram, sir Robt.
Wilberforce, W.
Wilbraham, E. B.
Wildman, J. B.
Williams, Robt.
Willoughby, H.
Wilmot, R. J.
Wilson, T.
Wodehouse, hon. J.
Wodehouse, E.
Wood, col.
Worcester, marq. of
Wortley, J. S.
Wright, J. A.
Wrottesly, H.
Wyndham, W.
Yorke, sir J.

### *Minority.*

Abercromby, hon. J.
Allen, J. H.
Althorp, vis.
Anson, sir George
Anson, hon. G.
Aubrey, sir John
Barham, Jos. F.
Baring, sir Thos.
Bernard, vis.
Barnett, James
Becher, Wm.
Bernal, Ralph
Bennet, hon. H. G.
Benyon, B.
Birch, J.
Brand, hon. T.
Browne, Dom.
Burdett, sir F.
Byng, G.
Burton, R. C.
Coles, John
Calcraft, John
Calvert, N.
Calvert, C.
Campbell, lord John
Campbell, hon. J.
Carew, R. S.
Carhampton, earl of
Carter, John
Cavendish, lord G.
Cavendish, hon. H.
Chamberlayne, W.
Clifford, capt.
Clifton, vis.
Coffin, sir Isaac
Colborne, N. R.
Colclough, C.
Coke, T. W. jun.
Concannon, Lucius
Coussmaker, G.
Curwen. J. C.
Crompton, Sam.
Deerhurst, vis.
Davis, T. H.
De Crespigny, sir W.
Denman, Thos.
Denison, W. J.
Dickinson, W.
Douglas, hon. F. S.
Duncannon, vis.
Dundas, hon. L.
Dundas, hon. G.
Dundas, T.
Dundas, C.
Ebrington, vis.
Ellice, Ed.
Euston, earl of
Fazakerly, Nic.
Fergusson, sir R. C.
Fitzgerald, rt. hon. M.
Fitzgerald, lord W.
Fitzroy, lord C.
Foley, Thomas
Folkestone, vis.
Frankland, Thos.
Grant, J. P.
Gordon, Robt.
Graham, Sandford
Graham, R. H. G.
Grenfell, Pascoe
Griffith, J.
Guise, sir Wm.
Gurney, R. H.
Heygate, ald.
Hamilton, lord A.
Harcourt, J.
Harvey, D. W.
Hill, lord A.
Honywood, W.
Hornby, Ed.
Howard, lord H.
Howard, hon. W.
Howorth H.
Hughes, W. L.
Hume, Jos.
Hurst, R.
Hutchinson, hn. C. H.
Lamb, hon. W.
Lamb, hon. G.
Langton, W. G.
Latouche, J.
Latouche, R.
Lefevre, C. S.
Lemon, sir Wm.
Longman, G.
Lloyd, sir J.
Lloyd, J. M.
Lyttelton, hon. W. H.
Maberly, W. L.
Maberly, John
Mackintosh, sir J.
Macleod, Rod.
Madocks, W. A.
Martin, J.
Maule, hon. W.
Methuen, Paul
Merest, J. W. D.
Mills, George
Mildmay, P. St. John
Milton, vis.
Monck, sir C.
Moore, Peter
Morpeth, vis.
Newman, R. W.

Newport, rt. hon. sir J.
North, Dudley
Nugent, lord
O'Callaghan, J.
Ord, Wm.
Osborne, lord F.
Pollington, vis.
Portman, Edw.
Primrose, hon. F.
Palmer, C.
Palmer, C. F.
Prittie, hon. F. A.
Pares, Thomas
Parnell, sir H.
Peirse, H.
Pelham, hon. C. A.
Pelham, hon. G. A.
Philips, George
Philips, Geo. jun.
Phillipps, C. M.
Powlett, hon. W.
Price, R.
Pryse, Pryse
Rickford, Wm.
Ricardo, David
Ramsden, J. C.
Rancliffe, lord
Ridley, sir M. W.
Robarts, W. T.
Robarts, A.
Rowley, sir Wm.
Russell, lord. G. W.
Russell, lord John
Russell, R. G.
Rumbold, C.
Simpson, hon. J. B.
Sebright, sir John
Scarlett, James
Sefton, earl of
Smith, G.
Smith, J.
Smith, Wm.
Smith, hon. R.
Smythe, J. H.
Spencer, lord R.
Stanley, lord
Stewart, Wm.
Stuart, lord J.
Symonds, T. P.
Tavistock, marquis of
Taylor, M. A.
Taylor, C.
Thorp, alderman
Tierney, rt. hon. G.
Walpole, hon. G.
Waithman, Robt.
Webbe, Ed.
Webster, sir G.
Western, C.
Wharton, J.
Whitbread, W. H.
Wilkins, Walter
Williams, Owen
Wilson, sir Robt.
Wood, ald.
Wynn, sir W. W.

TELLERS.

Macdonald, J.
Lambton, J. G.

PAIRED OFF.

Brougham, H.
Coke, T. W.
Maxwell, John
Porter, general
Plumer, Wm.
Ponsonby, hon. F. C.
Williams, sir R.

## HOUSE OF COMMONS.

### *Wednesday, May 19.*

Employment of Informers by the Board of Excise.] Lord *Henry Howard* rose to present a petition from the inhabitants of Arundel, against the system observed by the Board of Excise respecting the prosecutions they instituted on the oaths of informers. The petitioners warmly complained of the manner in which those prosecutions were instituted and conducted; they stated, that so glaring had the conduct of informers been, that the board of excise was itself obliged to turn round upon those informers, and punish them. He trusted the House would see the necessity of reforming a system so pregnant with abuse.

Mr. *Walter Burrell* strongly recommended the petition to the attention of the House. The greatest grievances were apparent in Sussex, from the system pursued by the excise board. Four of these informers were convicted last year of perjury. He was as anxious as any man to prevent smuggling, but he thought that in the mode of punishing the offence some attention ought to be paid to the morals of the people. The hon. member then quoted the case of Mr. Henty, a gentleman residing within four miles of Worthing; who was charged on the oaths of some ruffians of having smuggled spirits into his premises at a time when he offered the clearest evidence of his being absent from home at the time the crime was alleged to have been committed. Yet the evidence of those ruffians was taken, though eventually Mr. Henty succeeded in convicting them of gross and wilful perjury.

The *Chancellor of the Exchequer* said, that whatever grounds of complaint had arisen in Mr. Henty's case had been removed, so far as the board of excise could remove them, on the discovery of the imposition which had been practised upon them. But he could not see how this petition could be acted upon by the House. It was true that the petition contained a general complaint, but it stated no fact in its support, no name, no dates, nothing in the way of specific complaint that was tangible, or could be made matter of inquiry by the board.

Mr. *Bennet* said, that so far from their being nothing in this petition to justify inquiry, he thought there was every thing, for the petition referred to a transaction which had occurred in a court of justice, where the perjury and profligacy of the excise informers was openly exposed and punished. The question was, whether those acts complained of had been done or not? Information had been given by two persons of smuggling to the customs; on inquiry, their information was found to be false, and the persons, instead of being discharged, were taken into the employ of the board of excise. Information had been laid against Mr. Oliver, a respectable gentleman of Sussex, that he was engaged in smuggling on a particular day in a certain vessel. On inquiry, it appeared that the vessel was in dock at the time. The informers then changed their ground, and named another day; when, upon fresh inquiry, it appeared that on this second day so named, the vessel was lying under seizure at the custom house. The miscreants who had so perjured themselves, instead of being punished, were released by the excise. In Mr. Henty's case, the board preferred the evidence of similar wretches to the unquestionable testimony adduced in contradiction to it by the gentleman himself. One of the informers against Mr. Henty was at the time in Horsemonger-lane on a charge of murder, and another for theft. The perjury of others was at length clearly proved in a court of law, but they would have escaped on small bail were it not that charges of felony were brought against them—they were of course detained, and afterwards transported. The judge repeatedly admonished the witness, Todd, at Mr. Henty's trial, in consequence of the evidently perjured manner in which he was giving his testimony. The ruffian swore he had at the time taken a note of the particulars of the alleged transaction —and on pencil being put into his hand for the purpose of proving he did not know how to write, the miscreant was incapable of tracing a single letter in the alphabet. It was upon such testimony as this that the solicitor of the excise acted —upon testimony to which no police magistrate would for one moment listen. It was for the board of excise, it would appear, to set the example of acting upon the evidence of perjurers, vagrants, and every sort of miscreants. This was the first time that a minister of the Crown had objected to a petition being received, the main facts of which he knew to be true. In one of the cases, where the board were obliged to repay the injury they had done the party prosecuted, and pay all the costs, the country had to pay 1,500*l.* because, forsooth, the solicitor of the excise thought proper to lend his ear to the falsehoods of these informers. Since the time of the court of Star Chamber such a jurisdiction as this had never existed. Would the House believe that in Mr. Henty's case, the form of the charge was so vague, that it was impossible to know what day, between the months of January and April, it was alleged to have been committed! It was a positive fact, that the terrors of these prosecutions at the instigation of such perjured informers was so great, that thirteen men who were now known to be innocent of the crime of which they stood charged, pleaded guilty, rather than be brought to a distance from their homes, and then tried where they knew they had no chance of escape. He trusted the time would speedily arrive, when the whole system of excise prosecutions, and the practice of the courts respecting them, would be inquired into, with a view to their effectual alteration.

Mr. *Lushington* defended the conduct of the board of Excise, who had in Mr. Henty's case paid the whole costs that gentleman had been put to, when they found they had been imposed upon. He really thought that a petition complaining specifically of no oppression, which was open to explanation or inquiry on the facts of the case, ought not to form the ground of any proceeding before parliament. If any specific case of grievance could be satisfactorily pointed out, it should be instantly remedied, or if any specific remedy were devised, which without screening the guilty would shield the innocent, it should be immediately attended to by the board of excise.

Mr. *D. W. Harvey* suggested the propriety of withdrawing the petition, in the event of there being no objection to lay before parliament copies of the whole of the proceedings in the case of Mr. Henty.

The *Chancellor of the Exchequer* repeated, that his only objection to the petition was, that when it called for inquiry, it set forth no specific facts upon which that inquiry could be grounded.

Lord *H. Howard* replied, that the petitioners had contented themselves with broadly stating the existence of a grievance which it was thought no man could be found to dispute. If particular facts were necessary to support inquiry many could be found to bear out the abhorrence which the petitioners had to the present practice.

The petition was withdrawn.

Camelford Election.] Lord *Milton* said, he held in his hand a petition from Charles Pitt, esq. who had presented a petition to the House, complaining of an undue return for the borough of Camelford. The petitioner stated, that he had arranged with the clerks for the production of the sureties to enter into recognizances yesterday, but they had subsequently discovered that that was a day beyond what was allowed by the act of parliament, and when he came down yesterday with his sureties, that was stated to him. Such were the allegations of the petitioner: whether they were true or false, he did not know, but it undoubtedly appeared to him, that if he could satisfactorily make out that the not entering into recognizances within the time required by the law did not arise from any wilful neglect of his own, the House was bound to grant him relief, perhaps by extending the time for so doing.

The *Speaker* said, it might be convenient to state, in reference to the petition, that yesterday he had informed the House the petitioner had not entered into recognizances, in consequence of which the order for taking the petition into consideration was discharged. He had also subsequently said he had received a letter from the petitioner, describing his inability to enter into recognizances within the proper time, from the mistake of the clerk in fixing it for yesterday, a day too late; since that he had thought it his duty to call for information on the subject. He had learned that the day had been fixed on in the usual manner, and approved of by the petitioner himself; but that when the latter came yesterday, Mr. Ley found it was a day too late, and made a communication to that effect to the petitioner. He, however, put a different construction on the words of the act, and contended he was not. Under these circumstances, Mr. Ley proposed to enter into the examination of the sureties and to grant the certificate, if they should be approved of: and afterwards the petitioner might make any application to the House, touching the transaction he thought proper. The petitioner declined that course—said that he was resolved to petition the House on the conduct of the clerks—left the room, and then wrote the letter he had before referred to. In a case nearly similar, the course had been to appoint a select committee to take the facts of the petition into consideration, with a view to determine whether the case admitted of any, and what remedy. He had only further to observe, that though the petition did deal in part with the recognizances, it also went largely into the merits of the petition.

Lord Milton then moved, " That so much of the said petition as regards the non-examination of the sureties proposed by Charles Pitt, esq. in respect of such petition, be referred to a committee to examine the matter thereof, and to report the same, together with their observations thereupon, to the House."

Mr. *Wynn* thought that the petitioner ought to have applied to the House yesterday, and doubted whether the act of parliament left the House any power to resume the consideration of the petition, after the order relating thereto had been discharged. Even if it had, the petitioner should be called to the bar to verify upon oath the facts alleged, before any other step was taken in relation thereto.

A conversation on the proper mode of proceeding then took place; after which the motion was withdrawn and it was moved " That Mr. Pitt should attend the House to-morrow, to verify the matter of his petition upon oath." The debate upon this motion was adjourned till to-morrow,

CONVEYANCERS.] The Hon. *W. Lyttelton* rose, pursuant to notice, to make a motion to which he apprehended that no objection would be made, as the measure to which it referred was confessedly desirable. It had long been a subject of complaint, that improper persons had become conveyancers; for the only qualification required, according to the existing law, for any person to become a conveyancer, was the payment of about 40*l.*; and such was certainly not the intention of the act of the 44th of the king, chap. 98, which it was therefore his object to amend. The hon. member concluded with moving, that the House should resolve into a committee to consider the act alluded to.—The House having resolved into the committee, the hon. member proceeded to state the nature of the amendment which he proposed in the existing law, namely, that all persons should be subject to a penalty who should draw or settle deeds, or do the business of conveyancing, except serjeants, barristers, conveyancers at the time of passing the act, persons having kept eight terms, and done exercises at an inn of court, attorneys, solicitors, proctors and notaries. The committee would perceive that he did not mean the act to be retrospective. Nor did he mean either that this act should extend to prevent any steward of property, being a member of one of the inns of court, from drawing any lease or conveyance of such property: nor to prevent public officers from drawing official instruments, or any individual from drawing wills, gratuitously. The hon. member dwelt upon the sums which attorneys were required to pay before they were qualified to practise; many of them having to pay in London, 1,000*l.* apprentice fee. Was it then fair that persons should be allowed to practise as conveyancers merely on the payment of 40*l.*, thus taking away from attorneys the main source of their professional emolument; for it was notorious, that the common law practice of an attorney was comparatively very unproductive. The hon. member concluded with moving, That it be an instruction to the chairman to move for leave to bring in a bill for amending the act alluded to.—The motion was agreed to, the House resumed, and leave was given to bring in a bill accordingly.

Clerk of the Peace in Ireland Bill.] Sir J. Newport moved, that the report of this bill be taken into consideration on Friday.

Lord *Carhampton* observed upon the origin of this bill, which was to be attributed to what was disclosed on a recent debate, respecting the conduct of an hon. member, the representative for Limerick. It appeared on that occasion, that the late custos rotulorum for the county of Limerick, sold the place of clerk of the peace to a boy, who was quite incompetent to perform its duty; that on the accession of the present custos, this boy became a man, and, capable of performing the duties of his office, was dismissed, not for any negligence or malversation, but on the principle of *sic volo sic jubeo, stat pro ratione voluntas.* Such an extraordinary proceeding naturally called for animadversion. But as to the merits of the bill before the House, it was by no means calculated to answer the end in view; for the robbery and peculation committed through the office of the clerk of the peace in Ireland, were of such a nature, as this bill had no tendency to remedy. He would on Friday produce a document, which he had no doubt would astonish the House, and suggest a measure that would save 50,000*l.* a year to the people of Ireland. He hoped the bill of the right hon. baronet, which really was not an honest measure, because it was not calculated to produce what it professed to have in view, would be so framed as to put an end to the system of exaction which had so long prevailed in this office.

Sir *J. Newport* said, he had no interest whatever in bringing the bill forward. He was not connected with any clerk of the peace in Ireland—but, as such a measure appeared to be necessary, he had fulfilled a public duty, in introducing it.

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## HOUSE OF COMMONS.

*Thursday, May 20.*

Camelford Election.] Lord Milton moved the order of the day for resuming the adjourned debate on the petition of Charles Pitt, relative to the late Camelford election. On the question that Mr. Pitt be ordered to attend the House,

Mr. *Wynn* said, that on the fullest consideration which he could give to this subject, he was of opinion, that the House had not the power to accede to the prayer of the petition. But even if it had the power, this was not a case in which it would be expedient for the House to exercise it, as the petitioner ought to have come earlier.

The question was then put and negatived.

Bankrupt Jurisdiction — Delays in Chancery.] Mr. *M. A. Taylor* said, he had to request the indulgence of the House, while he called their attention to a subject in its nature certainly not very entertaining, namely, the delays in the high Court of Chancery. But though this was a dry subject, it was one which was interesting to a great part of the community, who unless some aid was afforded by parliament, would continue to suffer greatly from such delays. He should state the grounds on which he brought forward the present motion, with perfect respect to the judges who presided in the courts referred to in his motion; but at the same time he should do the subject fair justice, and should shrink from nothing. The question to which he should call their attention was, whether the aid afforded to the public in 1813, by the appointment of a vice chancellor's court, had answered the end which the legislature intended it should have, and whether any other step was not now necessary to relieve the Court of Chancery. He did not wish at present to enter into any of the particulars of the mischief which had arisen from delay. He attributed the delay of decision to the pressure of business, which no human strength could perform, and from which he wished to relieve the lord chancellor. He owned that he wished to propose that the House should agree to a committee; and if the House should grant this, then he should prove, from the authentic registers of the court, by the officers of the court, and by professional men, that great actual injustice took place from delay in the Court of Chancery. He begged the House would look to the expense of proceedings in chancery. He did not ask this for his own part, for he had never writhed under the pressure of that court. But he had seen families ruined and undone by it; he had known many families who had lost their all by it. Though facts connected with this subject had been given to him by persons of the highest rank and character in the profession, yet he should not bring them forward except in a committee, where they might be examined into, when no doubt would remain of their truth. The question was, whether the separation of the bankruptcy business from that of the great seal, might not give fair time for the expediting of all the matters which would then come before the Court of Chancery. The House would recollect, that in 1811, he had moved for a committee to inquire into the causes of the delay in the Court of Chancery. A committee was appointed, but as the session soon broke up, it was necessary that the committee should be revived the ensuing session. That committee was accordingly revived, but when he moved in the committee to call for persons professionally connected with the Court of Chancery, to give evidence respecting the causes of the delay, that motion was resisted in the committee, and on his bringing the same motion before the House, it was successfully resisted there. The committee had before them the register-book, and received information of the number of causes which remained undecided, but they never could get to the ground of the subject. In the mean time a bill was brought into the other House, by the lord chancellor, for the appointment of a vice chancellor. That bill was opposed in the House on the ground that it would give no actual relief to the court—that there would be a revulsion from the vice chancellor back to the chancellor in the shape of appeal. There were 35 appeals only waiting for decision, when the vice chancellor's court was established. He found, the other day, that there were now upwards of 100 appeals waiting for the lord chancellor's decision. His information might be incorrect, but it came from a solicitor of the first eminence, and he had communicated it to the learned solicitor-general opposite. The number of original causes in the lord chancellor's paper was 114 in 1811. With all the assistance derived from the vice chancellor's court, the number of original causes was now 289. The number of appeals, in 1811, was 35. In March 1819, the number was 101. The bankruptcy business stood on the same footing as in 1811: there was no variation in the number of petitions, at least in March. It had been argued, that the appointment of a vice chancellor's court would give great relief to the House of Lords. But there were 140 causes in the appellant jurisdiction of that House; and there stood 26 appeals, besides writs of error, which had been in hand two years without being decided. Now, if the lord chancellor were freed from the pressure of the bankruptcy business, with all his knowledge and talent, he could not get through this business in less than two years. He did not mean to impute any blame to lord Eldon, or to say that the vice chancellor's court, had not been, in some respects, a relief to the lord chancellor. But though the number of cases decided by the vice chancellor had been considerable, and though the business of the great seal had been done, and well done, still there was a long list of appeals undecided. Let them look at the situation in which the lord chancellor stood. Like all other lord chancellors, he had much to do with the political business of the country—he had to attend to the appeal causes in the House of Lords—he had the care of lunatics—he had the care of infants. Any man who had seen the multiplicity of business which came before the lord chancellor, and the number of times the learned lord was called from the bench to attend to political matters, could easily understand how so many causes remained. He could show, that since the time of lord chancellor Hardwicke, business had greatly increased—the number of bankruptcy cases had doubled—the number of motions was doubled. Besides this, there were the appeals to the House of Lords, appeals from Scotland and Ireland, and writs of error. If any one man were to unite all the talents and knowledge of the present lord chancellor with the decision of lord Hardwicke, it would be impossible for him to go through the business. No man doubted the talents, perseverance, or labour of the lord chancellor; he was always in the court of chancery, except when called away on political business, or when in the House of Lords. If he, then, could not go through the arrears, it was in vain to expect that any other lord chancellor could go through it. Human strength could only go through a certain quantity of business. The Court of Chancery was a court of equity. Now, bankruptcy business was of a legal nature, and belonged more to a court of law than to an equity court. In this he was fortified by the opinion of some of the best lawyers of the country. He understood it had lately been said by the noble lord, in deciding a bankruptcy petition, that if the bankruptcy business was to be transferred, it must be transferred to some competent judge. But the same talents which qualified a person to decide in any other court, would fit him to sit in a court for the decision of bankruptcy cases; and with respect to the remuneration to such a judge, it was to be recollected, that there was a sinecure place connected with bankruptcy cases—the office of patentee of bankrupts, which was worth from 5,000*l.* to 6,000*l.* a-year. Why should that be given to an inefficient man? That should go into the pocket of the person who did the actual business. The bankruptcy business at the present moment was supposed to bring 5,000*l.* a-year into the pocket of the lord chancellor. Then there was 1,700*l.* received annually by the secretary of bankrupts. He would take the amount received by the patentee at from 6,000*l.* to 7,000*l.* a-year. It was fit that the man entrusted with the great seal should be largely and liberally remunerated; but he ought not to be recompensed for business that he had not power to perform. If this question was carried against him this evening, the question should not rest here. He would try it in every possible way. He wished ministers themselves would take the subject up. Many cases had been before the court of chancery for six, seven, eight, or ten years, without a decision. Causes were two years in hand before they were set down in the chancellor's paper. Suppose, in the first instance, that a case was brought before the vice chancellor, it was two years before it could come on for a hearing; an appeal might then be lodged with the chancellor; with him it remained for two years more; if an appeal from him was carried to the House of Lords, two or three years more were spent; so that it was six years before it was finally decided. He had known a case in chancery, concerning the beneficial interest of two women in a lease which had twelve years to run. It was there thirteen years before it was decided, and both the claimants were then dead. The question then was, of what part of his business the lord chancellor should be relieved? It was known that the bankruptcy business was entirely distinct; that it was originally a part of the business of the great seal. Where, then, would be the harm of now separating it from it? Many professional men could be found competent to decide in matter of bankruptcy; and if the noble lord who now held the seals were the person in the country the most fit to decide those questions, yet the country might be at any time deprived of his services. Another expedient might be resorted to, which would not only give the lord chancellor more time to attend to the peculiar business, but would improve the judicial system of the country. As the judicial business of the House of Lords was at present managed, there were many suitors in this country to an immense amount, who had, in fact, no appeal from the primary court. There was an appeal from the chancery of Ireland; there was an appeal from the court of session of Scotland; but from the chancery of England there was, in fact, no appeal, but from the chancellor in chancery to the chancellor in the House of Lords. The constant advice, therefore, of all gentlemen at the bar to suitors was, not to appeal to the House of Lords, as it was only an useless addition of expense to expense. It was of course a mockery for the judge who was appealed from to decide on the appeal. The increase of property of chancery suitors was such as almost to exceed belief. In 1752, the whole amount of money lodged in the Bank of England, belonging to such parties, was scarcely 3,000,000*l.*; in the present year it amounted to nearly 34,000,000*l.* But this was not all the business of the court; it was to be remembered that one-third of all the estates in England, one-third of our entire landed property, was decided in a court from which there was no substantial appeal; that to the House of Lords was in fact none. He could take upon himself to assert, that there was now in the Bank a sum of not less than 10,000,000*l.*, which, from the procrastinated duration of suits, should have been either the property of persons deceased, who had no representatives; or of persons now living, but ignorant, from the books not being open to them, of their claims altogether, or if they knew themselves to possess such claims, ignorant in what manner or names the property was vested. It was his object hereafter to move for the production of those books, in order that people might ascertain and vindicate their rights.—The hon. member then adverted to the opinions expressed by the late sir Samuel Romilly, that the only way to relieve the chancellor from the daily accumulation of the arrears he had alluded to, would be to separate the jurisdiction of bankrupts from the great seal; of the right hon. the president of the board of control (Mr. Canning), at the time the vice chancellor's bill was discussed, that it should only be a measure of experiment; and of the vice chancellor himself, which was in opposition to its expediency. He contended, that the object of that enactment had not been nor could be attained. The difficulties and embarrassments of the chancellor, as regarded the increase of cases in arrear, had been sensibly increased. The hon. gentleman proceeded to pass a high eulogium upon the talents, perspicuity, and wisdom of the lord chancellor, and to acknowledge the clearness, precision, and integrity of his judgments. But whilst he admitted the great learning and ability of the lord chancellor, and bowed to his superior qualifications for discharging the duties of his office, he felt it due to the interests of the suitors in courts of equity and the court of final appeal, that those duties should not be rendered too numerous and weighty for any talents or any industry to perform. He concluded, therefore, by moving, "That this House will resolve itself into a committee of the whole House, to take into their consideration so much of the statute of 13 Eliz., c. 7, as gives jurisdiction in matters of bankruptcy to the lord high chancellor or lord keeper of the Great Seal of England."

Mr. *Sinclair* said, that he rose to second the motion, not only because he believed that it would be productive of great public benefit, but also because he felt convinced that it might, indirectly, prove essentially useful to Scotland in particular, by enabling the lord chancellor to devote a larger portion of his time and attention, to the consideration and decision of appeals from the court of session. The delay, which now occurred, in respect to these appeals, was considered, from one end of Scotland to the other, as a most serious national grievance—it is the source of great loss to individuals, of distress and embarrassment to private families, and of serious mischief and inconvenience to the community at large. Not only do many sessions pass over, before these cases are heard, but, even when the pleadings have taken place, whole years are suffered to intervene, without any decision; so that many cases must be nearly forgotten, before they are determined. He did not mean to cast the slightest imputation upon the noble lord on the woolsack, whose unsullied integrity and unequalled legal knowledge could not be too highly panegyrised; but he had more business to go through than the human powers are equal to; and, unless he were endowed with a supernatural ubiquity, and could not only sit in several courts at once, but have a separate mind for treasuring up and considering the proceedings which took place in each, he could not possibly do justice either to the country or to himself; he should therefore give the motion his cordial support.

The *Solicitor General* observed, that the object which the hon. and learned member evidently had in view, was the foundation of another jurisdiction for cases of bankruptcy. His argument was, that the late institution of a vice chancellor's court, had, instead of diminishing, added to the arrear of business in chancery. It was not, however, a correct statement of the fact, to represent that arrear as having increased. The contrary was the case; but if otherwise, his objection to a new and separate jurisdiction for bankruptcy would not be removed. Before he referred to that subject, he should show, that the vice chancellor's court had been productive of the most important assistance and relief to suitors in equity, and had materially facilitated the hearing of appeals in the House of Lords. So far was it from the fact to state, that causes were entered two or three years before they were heard, that those now remaining to be heard had been all set down in the last term. With regard to cases of bankruptcy, no less than 570 had been set down during the last year, of which only 170 remained to be heard, and 100 of these had been entered since Hilary term. The other 70 were cases for rehearing. The arrear therefore was less than had ever before been known; and had it not been for the lord chancellor's late illness, there would not now have been a single bankrupt petition remaining to be heard. As to the number of causes, there were 206 set down for hearing before the lord chancellor, of which 140 were not set down till last Hilary term, and of these, many consisted of appeals. Undoubtedly, the number of appeals was increased, as must always happen by the establishment of an inferior jurisdiction. But it was equally clear, that suitors had great reason to be satisfied with the facility which had been given to the hearing of original causes. The institution of the vice chancellor's court had also enabled the lord chancellor to sit three days a week in the House of Lords to hear appeals and writs of error. Judgment would very soon be given in several important cases, one of which had occupied a greater share of attention than any suit of late years. He was surprised to hear it stated, that questions of bankruptcy were not in their nature questions for an equitable jurisdiction. Courts of law often decided questions of fact in the course of a bankruptcy case, but the general merits fell peculiarly within the province of courts of equity; nor did he believe any man, whatever might be his learning and ability, qualified to decide them, unless conversant both with the principles and practice of those courts. But the pressure of business in the court of chancery did not arise from this cause; and the separation of the bankruptcy jurisdiction would therefore afford but little relief. If 300 petitions were to be now filed, they would probably be all disposed of within a fortnight after the long vacation. No ground had been furnished for the interference of the House upon this subject. The statement he had made, appeared to him a sufficient answer to the argument of his hon. and learned friend. He should wish likewise to observe on this occasion, that the establishment of the jury court in Scotland would tend greatly to lessen the number of appeals from that part of the united kingdom; many of those appeals having turned upon mere points of fact, and there being one now before the lord chancellor, in which the only question was, whether a hogshead of whiskey had or had not been delivered in a certain year. He should not follow the hon. member into his reasoning in support of a farther division of the present functions of the lord chancellor, because it had no reference to the immediate subject of consideration. Neither was it necessary for him to express his sentiments concerning the characters of the judges in chancery. It would be agreed, however, even by those who objected to the delays of that court, that it never was presided in by a judge with greater ability, in whom the country had greater confidence, or whose judgments would be held in greater reverence by posterity.

Mr. *M. A. Taylor* shortly replied, and contended that the true causes of that delay which was a subject of universal complaint, could not be fairly understood, except by the examination of professional persons before a committee of that house. The appeals now pending in the House of Lords amounted to 141, and would probably not be determined for three years to come. Many cases had been now 18 months waiting for judgment; and if any accident, which he should regret as much as any man, were to happen to the noble and learned lord, these cases must be reheard at an enormous expense to the parties. Hence, the Buccleugh, the Roxburgh, and the Queensberry cases, in each of which, not less perhaps than 5 or 6,000*l.* in costs had been already incurred, must be re-heard. This was an evil, against which it was the duty of the legislature, as much as possible, to provide; and that could be done most effectually by accelerating the decision of appeals, and this could not take place without reducing the quantity of business assigned at present to the lord chancellor. That reduction being the object of his motion, he hoped the House would accede to the appointment of a committee, in which he pledged himself to prove the correctness of the statements he had made.—The House divided: Ayes, 49; Noes, 151.

### *List of the Minority.*

Althorp, visct.
Bankes, Henry
Barnett, James
Benyon, Benj.
Bernal, Ralph
Browne, Dom.
Coffin, sir Isaac
Dickinson, W.
Denman, Thos.
Ebrington, visct.
Fleming, John
Fergusson, sir R. C.
Griffith, J. W.
Gordon, Robt.
Gipps, G.
Hume, Jos.
Harvey, D. W.
Harcourt, John
Lamb, hon. W.
Lamb, hon. G.
Lambton, J. G.
Lemon, sir Wm.
Langton, G.
Lefevre, C. S.
Milton, visct.
Monck, sir C.
Macleod, Rod.
Mackintosh, sir J.
Moore, Peter
Maule, Wm.
Maxwell, J.
Newport, sir J.
North, Dudley
Powlett, W.
Phillips, C.
Ricardo, David
Ridley, sir M. W.
Sinclair, George
Smyth, J. H.
Tennyson, C.
Thorp, alderman
Williams, sir R.
Williams, Wm.
Western, C.
Wilson, sir R.
Waithman, alderman
Walker, J.
Walker, S.
Wilkins, W.

TELLERS.
Denison, W. J.
Taylor, M. Angelo

Coal Duties.] Mr. *Holme Sumner* rose, pursuant to notice, to ask for leave to bring in a bill to repeal certain acts imposing a duty on Sea-borne coals. This act was one bearing peculiarly and partially on the metropolis and neighbourhood, and formed just grounds for complaint. He was aware if antiquity could be considered as a just ground for taxation, then this might be well defended. The taxes had been laid on upon some extraordinary emergency for a temporary purpose, but had been continued after such necessity had long ceased to exist. He observed, that the first tax appeared to have been levied in the reign of Richard 2nd, when two ships and two barges were fitted out to protect the northern coast from pirates, and for which coals, among other things were subjected to a duty of 6*d*. per chaldron. In 1627 the next addition was laid on coals. The towns of Newcastle and Sunderland offered to pay another 6*d*. if Charles 1st would assist them, by protecting their trade. The king very readily agreed to that, and appointed a special commission to fit out six ships, not having had money with which he could equip a few of his own men of war. In 1670, a duty was levied of 2*s*. more, in addition to the 1*s*. for rebuilding London; and this was only to have lasted for twenty years; but the fact has since proved how little reliance was to be placed upon the royal promise. In 1677, Charles 2nd granted a charter to his son, the duke of Richmond, for ever, of 1*s*. on the Newcastle chaldron, amounting to about two of those used as the measure of the present time; but in 1696 (in the reign of William 3rd) the parliament took off the 3*s*. duty altogether. In 1698 (9th and 10th William 3rd) after the treaty of Ryswick, the expenses of the war having amounted to between two and three millions, parliament agreed to take five years to pay it off, and for which many taxes were then levied; among others, a tax of 5*s*. per chaldron was laid upon all coals carried coastwise for five years only. But almost immediately after, upon the accession of queen Anne, it was made perpetual, and exists to the present day. In 1710, the 3*s*. tax, formerly repealed, was revived for the purpose of building 50 new churches, out of which number 10 only had been built; but still the tax continues for the port of London only. Such a dreadful increase of taxation would never have since continued, if it were not that no attempt had since been made to shake it off. In the reigns of George 1st, and of the present king, several per centages were laid on, amounting to 1*s*. 4*d*. together per chaldron, besides war duties imposed during the late war, amounting to 3*s*. 2*d*.: but these latter were withdrawn in 1814, still leaving 9*s*. 4*d*. to be paid by the counties of Middlesex and Surrey, and 6*s*. for 14 other counties, the former paying 7*s*. 2*d*. duty, and the latter 1*s*. 1*d*. per annum for each human being; the population of each gross amount of the duty being regarded. It would also appear, that four counties paid only two farthings each, and 21 other counties paid nothing; a fact only to be accounted for, because they were mining counties, possessing, beside, the advantages of inland navigation. A proportion of these aggregate taxes was applicable to the Orphan's fund. It was not his object to affect by the present measure any amount of the duties applied to this fund. The bill would be confined to the reduction of the duties on coal and culm, forming part of the public revenue. The propriety of lessening to the consumer a tax levied on a raw article so essentially necessary to manufactures of almost every description, could not be for a moment a matter of doubt in so commercial a country as England; nor would it be likely the proposition would want support where the manufacturing interest was so ably and competently represented as in that House. The expediency of establishing a bounty on coals imported into the port of London, had, with the view of lessening the price, been long since submitted to the public, and Mr. Adam Smith, whose opinion was in itself a tower of strength, had said, that of all duties imposed on the necessaries of life, the duty on coals was, with the exception of a tax on bread, the very worst that could possibly be levied. The original cost of the coal was calculated at 13*s*. a chaldron; its cost of conveyance or freight was generally about 12*s*. or 14*s*. The price of the conveyance, metage, shooting, carriage, and merchant's profits, raised the cost of the article enormously to the manufacturer and consumer, whilst coals were supplied at the first cost price to the manufacturer and consumer in the country. Admitting for a moment, as it had been urged with some plausibility, that it was unadvisable to encourage the increase of the number of manufactures in the metropolis and its immediate neighbourhood, still the interest of the manufacturers in the counties adjoining London were not to be sacrificed to any such vague hypothesis. By the existing duties, a population of four millions and a half paid annually 865,000*l.*; four additional counties paid 20,000*l.*; and the remaining counties paid nothing in the shape of coal duties: so that a poor labouring man in the neighbourhood of London paid from 200*l.* to 300*l.* per cent more for his fuel, than a poor labouring man in the country. He regretted that the persons who first introduced this subject to the House should have shown so little knowledge of the materials of which that House was composed, as to imagine it would consent to any thing like an equalization of duties on coals generally. The manufacturing districts were sure to oppose it, and petitions, it was well known, had flocked in from all parties likely to be affected. They had represented it as a tax about to be levied on one part of the country, with a view to relieve another part from an existing tax. The present motion merely went to the abolition of the tax. It would be unfair not to admit (if the admission would do the petitioners any service) that the people of London were not completely ruined, though they were dreadfully cramped and injured by the existence of these duties. The petitioners of Birmingham had stated, that misery and discontent would be the result of any equalisation of these duties, as they would no longer be enabled to carry on their manufactures. The petitions of other manufacturing districts had stated the prospect they each entertained of immediate distress and ruin. But would it be fair to argue, that because the levying a trifling tax on coals in these districts would ruin the manufacturer, the manufacturers of London should not be relieved by the repeal of acts levying enormous duties on the same article? Nor would it be thought worthy of serious refutation that the metropolis was said to be likely, by the facilities thus given to manufactures, to be constantly enveloped in a still darker cloud and denser atmosphere of smoke. The existence of such an atmosphere was undoubtedly a subject of general regret; but was it not likely in this improving age, that by the application of philosophical principles, as in the case of count Rumford, this evil would be surmounted, and the smoke itself applied to some useful purposes? The object of his bill was to effect the repeal of so much of the duties as formed a source of revenue generally, without affecting the amount or security of that fund commonly called the Orphans' fund. He particularly wished to remind the House that the persons in whose behalf he was principally interested, the inhabitants of the county of Surrey, were those who, during the late arduous and protracted war, were the firmest and most liberal in contributing to its support, and trusted the House would not recompense their fortitude and zeal during a period of unprecedented danger, by sacrificing them to the interests of others during a period of profound peace. He then moved, "That leave be given to bring in a bill to repeal the several acts now in force, for imposing duties on coal and culm sea-borne and carried coastways, together with so much of the act 39 Geo. 3, c. 84, as makes the duty purchased of the duke of Richmond, under the authority of that act payable to his majesty, as other duties on coals."

Lord *Ebrington* seconded the motion, He said that the hon. mover had gone so ably and at such length into the general question of the impolicy of the duties on coals, that he should confine his observations to its effects on that part of the country with which he was connected. The duties on coals in Devon and Cornwall last year amounted to near 60,000*l.* and this impost was paid at twelve ports. The consumption of coal in Devonshire was confined to a small part of it comparatively; it was chiefly among the higher classes, and that part of the population residing near the sea ports. This was a consequence of the high price of that article; the same cause operated to depress the manufactories, and prevent their establishment. It was not, perhaps, generally known, that a great portion of the clay now used for the making of the finer sort of china in the Staffordshire potteries, was the produce of the county of Devon, and neither spirit nor industry was wanting in that county to turn it to account. A china manufactory was set up some time since at Plymouth. But the difficulty of procuring coals caused it to be abandoned; another manufactory of coarser ware was undertaken afterwards, and also on the same account nearly given up. All who were acquainted with the west of England knew, that the best manure for the soil of Devonshire was lime: lime was not to be had without fuel; so that the high price of coal and culm, had a directly injurious effect on agriculture and the improvement of land. In making these observations, he did not entertain a sanguine hope, that this or any other tax would be given up in the present distressed situation of the country. In the early part of the sessions, when the noble lord (Castlereagh) had drawn so flattering a picture of the finances and prosperity of the empire, those who felt that this picture did not apply to their case, had flattered themselves that they might have been relieved from some of their own burthens out of the overflowing prosperity of their neighbours, but, it now appeared, that the agricultural and commercial interests were labouring under one common and general depression, the consequence of which would naturally be a considerable falling off in the revenue. Under these circumstances, it was hardly to be expected that any of the existing duties could be abandoned. At the same time, he hoped, since the subject had been brought before the House, that the chancellor of the exchequer would consider, whether some substitute might not be devised; or if it was necesssary in this instance, that the tax gatherer should interpose between the raw produce of the soil and the consumption of the people, that, at least the burthen would be put upon a more just and equal footing than at present, when those who from their situation could obtain the article the cheapest, were wholly exempted from it, in order that it might fall with increased weight on those who have the other heavy expenses of freight and carriage exclusively to contend with, in addition to it.

Mr. *E. Littleton* considered this a question not between the chancellor of the exchequer and the city of London, but between the consumers of inland coals, and the consumers of sea coals. It had not been necessary to make any reference to the time of Richard 2nd. It would have been quite sufficient to have gone back so far as the Revolution. After several manufactures had arisen under certain taxes, to repeal those taxes at once would occasion a revulsion injurious to those manufactures, and most injurious, for a considerable time, to the country at large. If 6*s.* per chaldron were taken off Newcastle coals, the consequence would be to force them into the country so far as 6*s.* would pay the carriage, at least thirty miles from the present markets. How injurious must this prove to immense capitalists in the coal trade! Coals could be carried far into the country by the grand junction canal. At least, if this reduction should be made, all barriers and exclusive privileges in favour of Newcastle coals should be done away at the same time. The coal miners at Newcastle would not be well pleased that Welsh coals should be allowed to come into competition with their's. The comparison instituted between London and Staffordshire was not fair. The comparison should be between Devonshire and Berkshire or Oxfordshire. In Devon they paid the original price of the coals, the carriage, and 6s. In Oxfordshire or Berkshire, they paid the original cost, the freightage, and the duty on canals, which, unlike the duty on sea coals, increased with the distance. In the one case, the duty was to the revenue, in the other to the canal-proprietor; to the consumer, however, it was the same. But he doubted much, whether the city of London would benefit by this repeal. At least 5*s.* of the 9*s.* would go to the pockets of the coal miner and ship-owner. If his view in this respect was correct, and he was sure it was, it formed a conclusive argument why the chancellor of the exchequer would find it much better to retain the duty. He did not believe that there were twenty English counties which paid no duties. But in the counties which paid none inland coals were dearer than sea coals elsewhere. It had been stated, that the family which paid 22*l.* a year in London for coals, would pay only 7*l.* in Birmingham. Such an argument might impose upon those who had not inquired into the subject as he had done. He did not mean that it was fraudulent, but it was calculated to mislead. The quality was very different—27 cwt. of Newcastle coals were equal to 40 cwt. of Staffordshire coals. He believed, upon the fairest calculation, that 3*s.* per ton upon all coals would be necessary to produce a revenue equal to that proposed to be repealed. Only sixty petitions had been procured for the repeal. The friends of the measure had worked hard, but this was all they could get. From many places they failed to get petitions in answer to their applications. Many of the inhabitants of London thought the tax was one that ought to be imposed if there had been none, and no petition had been presented from Westminster.

Mr. Alderman *Wood* said, that the supporters of the measure before the House were placed between two fires. Last year the chancellor of the exchequer gave hopes that this tax would be altered in the course of this session, but now those who advocated an equalization of duty were charged with endeavouring to repeal the tax altogether. But this was not his object; he wished to have the duty equalized, and if a tax of 1*s.* per chaldron was imposed on all coals coming from the pit, it would bring a sum of 100,000*l.* more to the revenue than was raised by the existing system. It was said that inland coals, though exempted from the duty, became as dear, from the addition of canal and land carriage, as sea-borne coals; but the House should recollect, that the price of sea-borne coals was also much increased by land carriage. If the duty was taken of from Newcastle, it might go to check the inland coal trade in some measure, but then manufacturers and consumers generally could obtain coals much cheaper than they now do. It was said that gentlemen concerned in the inland coal trade would be ruined by this; but what right had those persons to claim an exemption from a tax levied on the rest of the country? Could they expect that the chancellor of the exchequer, when he wanted money, would not call upon them to contribute their proportion to the public wants? Let the present duty be continued if necessary, but then let the proprietors of inland coals be also taxed. He could not see why Wales should be exempted from this tax more than any other part of the kingdom. If the poverty of the country was the cause, then Cornwall had an equal claim, as the labouring classes had been reduced to great distress at the period when the chancellor of the exchequer extended his favour to Wales. The period of this indulgence, however, would expire in 1820, and he hoped the chancellor of the exchequer would take a lesson from what had passed, and not allow any one part of the country to be relieved from a burthen at the expense of another. He was the more anxious that some remedy should be applied, from a knowledge of the sufferings of the lower classes of London from the high price of coals: he had known them pay so much as 7*s.* a bushel in times of scarcity, when the inhabitants of other parts of the country could purchase coals at half that price. The manufacturers of iron were also seriously injured by the existing system. There was no necessity of placing the duty to be taken at the pit's mouth, under the excise, as it could be collected as tolls, as other taxes now were.

Colonel *Wood* thought it was an odd way of making coals cheap, to lay an additional duty upon them. He, however, preferred the existing system. He thought the cause why the coal tax was taken off in Wales, was not distinctly understood. The Welch coal was principally of a sort that would not be used in London. It was principally used to burn limestone to manure the mountainous part of that country. When the tax was proposed to be taken off in Wales, he believed there was a substitute in view, which a distrust of the chancellor of the exchequer prevented from being mentioned. And he doubted not but the hon. member for Surrey had also a substitute in view, which he kept back from a fear that the chancellor of the exchequer would continue the present tax, and adopt the substitute also [a laugh]. If the hon. member had a substitute in view, which could be borne without distressing the country, he ought in fairness to mention it in place of the present tax. If any tax could be spared from the revenue of the country, he could name several which had an equal claim with the coal tax. He thought a mitigation of the salt tax would be beneficial to the country, if it could be done; but he allowed that at present it was impracticable. He could also mention another. He thought a part of the excise duty on candles, might, if any tax could be spared, be taken off. The people were now obliged to go to the chandler's shop for candles, but in his country, though it was a little irregular, they made their own. This tax brought in 300,000*l.* but the collecting of it cost 50,000*l.* The fact was, that parliament commenced taxation at the wrong end; they relieved themselves from the burthens, and threw them on the shoulders of the poor [Hear!]. The city members had been active against the property-tax, but they would have been better employed in relieving the poorer classes from the weight with which they were saddled. For his part, he voted in favour of the property-tax, and had received the thanks of his constituents for so doing. He did not know what were their opinions at present as to such a tax; but, for himself, he was of opinion, that a moderated property-tax would be the most beneficial tax that could be imposed on the country. A duty of 2*s.* upon each chaldron of coals, made a serious difference to those concerned in iron works; it would, in fact, determine whether they could export or not. A petition upon this subject from the lord mayor of London was alluded to, in which he complained that all coals coming into the port of London, whether inland or not, were considered as carried coastwise. It seemed there was a large stone at Staines, to which the port of London was said to extend by some old regulation. Any coals brought below that stone, whether inland or not, were considered as arriving in the port of London. Some time back, a cargo of coals was brought to this stone from Wales; an excise officer was immediately dispatched, who completely frightened them away, and no coals from that country had appeared there since. The officer, however, still remained at his post. The evil might be remedied by removing the stone to London bridge. The poor of the city would then have the advantage of inland coals. He thought that this question had gone to sleep, but unfortunately he was mistaken; he must, therefore, give his decided negative to the motion.

Mr. Alderman *Wood* wished to explain with respect to the great stone. It was by direction of government, not of the city, that coals were not allowed to come lower down.

Mr. *W. Courtenay* said, that this was a tax which pressed heavily upon the poor, and injured manufacturers very much. In Exeter, where the population was only 18,000, they paid 10,700*l.* in coal duties. The inequality of the tax was so evident, that it would be wasting the time of the House to attempt to dwell upon that consideration. He would support the motion, in the hope that the chancellor of the exchequer would place the tax more equally on the country. If the tax had existed during a long time, no just argument could be derived from its antiquity, that an alteration ought not at present to be made; for the length of its continuance ought not to sanctify an unequal and unjust tax.

Lord *Milton* expressed his surprise that a debate on the subject of repealing a tax should have proceeded so far without the House being made acquainted with the intention of the chancellor of the exchequer. But surely when relief was to be afforded from the pressure of the present impost, that relief ought not to be partial but general. Take away, however, the present tax, and the relief would be partial. The hon. alderman had adverted to the great amount levied on the cities of London and Westminster; but was not its greater proportion paid by the wealthy citizens and rich families at the west end of the town? He viewed the present question with considerable apprehension, because he believed, though it was not avowed, that it was but an indirect way of getting at an equalization of the tax; a measure most injurious to the interests of the great manufacturing parts of the kingdom. It was also to be recollected, that though the lord mayor and aldermen of the compassionate city of London were thus solicitous for the repeal of the parliamentary part of the tax, which was applicable to general purposes, they would not give up that very large portion of it which was received for their own purposes. The noble lord concluded with expressing his determination to give the motion his decided negative.

The *Chancellor of the Exchequer* observed, that his views on the question must have been known, from what he had at different times stated when petitions were presented on the subject to that House. That was one of the reasons for his not having previously taken a part in the discussion. Besides, he was willing to hear the opinions of gentlemen, who, from their local connexions, were calculated to afford the House the fullest information. Since the subject was first introduced, it was his decided opinion, that it would be most inexpedient to stir a question of this nature, when the circumstances of the country were such as not to allow the hope of a favourable decision. Enough had passed on the discussion of a former night, to show that it was the intention of parliament to watch with jealous and peculiar care any thing that tended to produce a diminution of revenue. Indeed, it would be his duty in a few days to call the attention of that House to the manner in which they might best add to the revenue of the country. With respect to the cities of London and Westminster, it was to be recollected that they had received a considerable relief already by the cessation of the war tax. Coals, which, in 1814, were at 62*s.* per chaldron in the pool, were now to be had at 48*s.* giving a relief of 14 shillings by that measure. He did not think the House could act otherwise, under the circumstances of the country, than to reject the motion.

Mr. *Lambton* said, he had heard with great regret, though certainly not with surprise, the determination of the chancellor of the exchequer not to agree to the repeal of this most oppressive tax—not only, it appeared, did he mean to refuse the relief now claimed, but he contemplated the levying of fresh taxes on the people, in a period of profound peace. He and his friends would most steadfastly oppose the introduction of new taxes. He knew not whether the House would or would not support them—he knew not whether their opposition would be successful—but they would, at all events, have the consolatory reflection that they had discharged their duty [Hear!].—The hon. member (colonel Wood) had made a very facetious speech, on a very grave subject. Like an hon. member (Mr. Marryat) who, on a former evening made several observations on the price of tallow, the gallant colonel had entered into a dissertation on tallow-candles. He hoped the similarity would not end here, but that, like the hon. member to whom he had alluded, the gallant colonel having made his speech, would quit the House without voting. He had entertained the House with a supposed bull made by the city of London, in denominating coals on the Paddington canal, sea-borne: but the fact was not so—Inland coals brought to London did not pay the coast duties, but a particular duty imposed by government for the protection of the revenue they derived from the importation of sea-borne coals into the port of London. The House were next amused by the gallant colonel with the history of the great stone in the River Thames. He stated, that a Custom-house officer was sent down to this stone for the purpose of preventing a cargo of Welsh coals from being introduced into the port of London. The consequence was, the vessel returned, and the unfortunate officer remained ever since at his post—"Infelix Theseus sedit et semperque sedebit." [Hear, hear!].—But really the subject was of too much importance to be trifled with in this way. In consequence of the heavy duty payable on sea-borne coals, those carried by canals were preferred whenever they could be procured. The consequence was, that a great number of vessels were thrown out of employment, and thus the principal nursery for seamen was discouraged. Sea-borne coals had lately been excluded from several ports and districts which they formerly supplied viz. Boston, Lynn, Northampton, Bedford, Newport Pagnell, and many others. That exclusion had diminished the sale to the amount of 50,000 chaldrons in the year 1817, when the last calculation was made; and had those 50,000 chaldrons been taken, as before, from the port of Sunderland, employment would have been given to 50 ships, now laid up, and 350 seamen annually, besides numerous labourers employed in loading and delivering ships.—He need not impress on the House the importance of protecting that coasting trade, from which in the event of any war breaking out, our best seamen were drawn. They had heard from the hon. member the reasons which caused the tax on coals in Wales to be removed—and they knew, that in 1793 it had been repealed with respect to Scotland. Why, he asked, was this boon withheld from England and Ireland? Three hundred and fifty thousand chaldrons of coal were annually imported into Ireland: and in his opinion, that favour which was shown to Wales should be extended also to Ireland. When they considered the impoverished state of the people of this country, surely it was right that this boon should be bestowed on them. Day after day they saw charitable societies formed to supply the poor with coals, either gratis or at a cheap rate. But surely more good would be effected by repealing the tax than could ever be derived from the benevolent assistance of the charitable and well-disposed. It was a most extraordinary circumstance, that this article should be taxed in places to which it was brought at a great expense and with considerable difficulty; but that it should be free from impost, where it could be procured with scarcely any trouble. This surely was not the liberal principle on which taxation should be founded—but he could point out many instances where the same defect was observable. The inequality of the tax would easily be demonstrated by the fact that Middlesex and Surrey paid 9*s.* 4*d.* duty per chaldron—14 other counties 6*s.* The former paying 7*s.* 2*d.* duty, the latter 1*s.*

1*d.* for each human being: whilst four counties paid two farthings, and 21 counties paid nothing. And supposing the population of England and Wales to be 11 millions. The House would find that the duty was levied on 4½ millions, whilst 6½ millions paid nothing. The chancellor of the exchequer had said, that were the duties taken off, the price to the consumer would remain the same, because the proprietor would raise the price. That he denied—and all experience was against the assertion. The repealing the war-duties had occasioned no increase—on the contrary the price had diminished at the mouth of the mine 1*s.* a chaldron—and this would always be the case whilst that competition existed in the north, which natually arose from the great extent of mineral property in full work. It was said, by the hon. colonel, that the income tax did not affect the poor; but, setting aside its inquisitorial operation and the vexation with which it visited persons of confined income—leaving these considerations out of the question—he would maintain that it was a tax, which if not directly, did indirectly, press on them, since it prevented those persons from employing them, who, if it were not in existence, would have possessed the means as they really possessed the inclination. If ever that detestable impost was introduced, he would humbly, but as firmly as he could, express his abhorrence of it. [Hear, hear!].—If it were brought forward again (notwithstanding the taunts of the hon. colonel) who said that the tax had been repealed, in order that the incomes of the rich should be spared, while the poor were oppressed (a sentiment which he was astonished to hear so loudly cheered), he hoped the House would do its duty, and repel the proposition with the indignation it deserved—[Hear].

Colonel *Wood*, in explanation, said, he had expressly recommended a property, and not an income tax.

Mr. *Dickinson* opposed the principle which many gentlemen had expressed themselves in favour of, namely, that of a tax on coals at the pit's-mouth. Such a tax would affect every person, of every description, in the country. It would be worse than that odious tax which disgraced their history, called the poll-tax. The latter only affected persons who had arrived at the age of puberty, while a tax on coals at the pit's-mouth would affect every man, woman, and child, in the country. The hon. member censured, in strong terms, the part taken by the city of London on this question, and concluded by expressing his determination to vote against the motion.

Mr. *W. Smith* thought that the whole question might be resolved into this issue —whether coals should be subject to little or no tax in places where it was cheap, but be subject to a considerable addition in places where it was already dear. A tax which in its nature was unequal, must be injurious to the country at large. He thought that the argument derived from the antiquity of this tax was of no importance, and that if coals were introduced in those parts of the country where wood was at present grown for fuel, an opportunity would be afforded of adding to the extent of land fit for cultivation. It was for the advantage of the country that every thing of service to the community should be furnished to the public as cheap as possible.

Mr. *Denison* supported the motion, principally on the ground that the tax operated so heavily on one part of the country, when other parts, and particularly the vicinity of the coal countries, were exempt. The only just principle of taxation was, that it should be equal on the taxed commodity upon every class of his majesty's subjects. But he thought the tax on coals one of the most partial and grievous taxes under which the metropolis and its vicinity laboured, and therefore he should vote for its repeal.

Mr. *Sinclair* rose amidst loud cries of question. On which he observed, that the hon. member for Donegal should not prevent him by clamour from doing his duty to his constituents [Order, order]. If any other member, connected with Scotland, had addressed the House on this subject, he should have thought it highly indecorous in him to have trespassed, for a second time, upon its indulgence, but he rose to protest, in behalf of his native country, against any measure which could possibly lead to a general equalization of the duties upon coal throughout the empire. Such an impost was anticipated in every part of Scotland with the strongest feelings of alarm and dismay; not only because it would be highly injurious to the manufacturers, but because it would be an act of gross injustice towards the community at large, inasmuch as the tax on sea-borne coal had already been commuted in Scotland for an impost of a different kind. It had been said, that this motion was not for an equalization; but he was decidedly of opinion, that this measure if successful, must inevitably be followed up by a proposition from his right hon. friend the chancellor of the exchequer, to make up for the deficiency thus occasioned in the revenue, by imposing a fresh duty upon coals throughout the kingdom (cries of No, no). Other gentlemen might think otherwise; but this was his sincere conviction, which had been greatly strengthened by the candid avowal of an hon. and learned gentleman behind the treasury bench (Mr. Courtenay), who supported the removal of the existing duty, on the ground that it must inevitably lead to an equalization. The hon. mover had stated, that he had an excellent substitute to propose; but he (Mr. S.) was of opinion, that, in the present state of the country, any unexceptionable tax that could be suggested, should not be adopted in lieu of, but in addition to, the existing imposts. As to taking off this duty, without providing a substitute, such a course was quite impracticable. He had voted, during the present session, against the abolition, or even reduction, of any existing tax, and should continue, however reluctantly, to pursue the same course; because he thought that, in the midst of our actual embarrassments, it would be unfair towards his majesty's ministers, and unjust towards the public creditor, to increase the difficulties of the one, and impair the security of the other, by cutting off, at such a crisis, from the national treasury, any productive source of revenue. He considered the present question to be, whether we should leave the coal duties to be paid by those, who, from time immemorial, had been liable to them, or impose a fresh burthen (by equalizing the tax) upon many industrious and public-spirited manufacturers, who, after struggling for years under the pressure of unexampled difficulties and privations, were only beginning to emerge from this state of suffering and distress, and would naturally consider an additional duty to be an unjust and grievous hardship. They were a class well intitled to the protection of the House, because they contributed very largely, not only to the revenue, but to the maintenance of the poor, in the districts to which they belonged; and he should therefore show the interest he took in their welfare, by opposing the present motion.

Lord *Mount Charles* said, that after the personal allusion made to him by the hon. member who had just sat down, he must require an apology from that hon. member to the House.

Mr. *Sinclair* was about to reply, when a loud cry of Chair, Chair! called up the *Speaker*, who said he was sure the hon. member must be aware, on a little consideration, that if he thought any hon. member interfered with his right of expressing his opinion, it was his duty to address the House on the subject, and not that hon. member. He was persuaded, therefore, that under the circumstances of the case, the hon. member would see that he had been wrong.

Mr. *Sinclair* disclaimed any offensive personal allusion; but as there was a loud clamour the moment that he rose to address the House, it was natural that he should feel annoyed by it. He certainly was ready to make every proper apology for his warmth [Hear, hear!].

Mr. Alderman *Waithman* rose to vindicate the city of London from the aspersion cast on its conduct by an hon. member. The hon. member should not forget that on every emergency the city of London had always been foremost to manifest its loyalty, and to advance its extensive and liberal aid to the government. The celebrated income tax, the discontinuance of which was so much lamented now by his majesty's ministers, he believed originated with the city of London, and he had the satisfaction to add, that it was the spirit and persevering firmness of the city of London which gave the mortal blow to that odious and inquisitorial tax. The hon. member should also recollect that although the city of London petitioned against this tax as a heavy grievance, the population of the city was not as one to ten of those in its vicinity who felt its pressure, and who were much less able to bear it; and more especially the manufacturing orders and labouring poor in its suburbs and surrounding vicinage, who were most grievously affected by this tax.

Sir *J. Sebright*, in the present exigency, was not for reducing the revenue. On the contrary, if the finances of the country were placed on a sound footing, and a rigid system of public economy adopted, no man would be more ready to pay himself, and to vote for the payment by the nation at large, of such taxes as the good of the state might require. But the duty under consideration was most unfair and partial, and he must enter his protest against it.

Sir *M. W. Ridley* said, that with respect to the apprehension expressed by some gentlemen, that if the tax were repealed in London, instead of lowering the price here, it would only transfer it to the owners of coal mines, who would directly charge a much higher price on coals at the pit's mouth, he could speak from his own knowledge, that for the last 18 or 20 years, not a shilling had been raised on the price of coals at the pit's mouth; on the contrary, it had diminished one shilling per chaldron for three years past. The coal owners charged at the pit but 16*s.* the chaldron, and this at a time when the poor of London were paying 7*s.* the bushel. He should support the motion.

Mr. *Ellice* supported the motion, because he thought an equalization of the duty preferable to the present tax, which he considered partial and oppressive.

Mr. *Bennet* said, he should vote against the tax, because he thought it extremely oppressive in the metropolis and the surrounding country, and he should vote against an equalization, because he thought it would be ruinous to the manufacturing districts.

Mr. *Protheroe* defended the conduct of the city of Bristol in petitioning against the equalization tax, because they thought it would immediately occasion a considerable rise on coals at the pit's mouth. But with respect to any tax on coals, there was but one opinion in all Bristol, and that was, that the tax should be repealed altogether. He trusted the time was not far distant when all the taxes of the country would call for revision, and when the relinquishment of this oppressive tax would be forced upon his majesty's ministers.

Mr. *Maxwell* said, that in rising to oppose the motion, he was directing his hostility to the equalization of duty; for he was convinced, that if the present duties were repealed, new ones of such a nature would be immediately resorted to. Any alteration to which his conception led him would be unjust and grievous to his constituents. The county which he had the honour to represent, and the district in which he lived, was filled with coal mines and studded with manufactories; to it any duty would, in consequence, be highly injurious and unjust; for they had built large edifices for their manufactures, upon the faith of cheap fuel, and the coal proprietor had embarked his capital in mines on the faith of their continuance. But what would be the situation of the poor in many parts without wood and without coals, and to whom coals must be carried more than twenty miles on almost impassable roads, and under a latitude of nine months winter? No man agreed more fully in what fell from the hon. member for Durham on the subject of taxation. He would oppose every tax which tended to support corruption or military despotism; but when he could see that the tax was just, and it was, in his judgment, necessary for the conduct of the state, he would as readily vote for its continuation. London had such advantages as no other part of the kingdom could boast.—A court, a parliament, a judicature, and all the attendant wealth belonging to them expended in it—a national bank—an East India monopoly—charities—donations—schools—asylums without end—high prices for labour, and every comfort and convenience, when the power of working ceased, gave it privileges and advantages no other place could attain. He opposed this bill, then, in its first stage, and should continue to oppose to the best of his ability.

Mr. *Byng* observed, that as the existing duty was most oppressive and unequal, and bore peculiarly hard on those whom he had the honour to represent, he felt it his duty to support the motion.

Mr. Sumner replied. After which, the House divided: Ayes 49; Noes 151. Majority against the motion 102.

### *List of the Minority,*

Anson, hon. G.
Barnet, James
Bastard, E. P.
Bastard, John
Becher, W.
Bennet, hon. H. G.
Buxton, F.
Byng, G.
Conyngham, lord F.
Courtenay, W.
Crawley, S.
Denison W. J.
Duncannon, lord
Ellice, Ed.
Gurney, H.
Harvey D. W.
Honywood, W.
Hurst, Robt.
Lamb, hon. G.
Lambton, J. G.
Lefevre, S.
Maule, hon. Wm.
Monck, sir C.
Moore, Peter
Mount-Charles, lord
Newman, R. W.
Normanby, lord
Onslow, serjeant
Powlet, hon. H. W.
Perring, sir John
Protheroe, Ed.
Pryse, P.
Ramsbottom, John
Rancliffe, lord
Ridley, sir M. W.
Rumbold, C.
Sebright, sir J.
Smith, hon. R.
Smith, J.
Smith, W.
Tennyson, C.
Thorp, alderman

| | |
|---|---|
| Turton, E. | Wilson, Thomas |
| Wall, C. B. | Wood, Alderman |
| Waithman, alderman | TELLERS. |
| Western, C. | Sumner, Holme |
| Williams, Wm. | Ebrington, lord |
| Wilson, sir R. | |

INSOLVENT DEBTORS RELIEF BILL.] Lord *Althorp*, in calling the attention of the House to his intended measure for the Relief of Insolvent Debtors in England, observed, that the unanimity with which the committee appointed to investigate the subject, had agreed to the principles of the bill which it was his intention to propose, relieved his mind, in a great measure, from the embarrassment he should otherwise feel, in bringing forward so important a question. He was bound to apologize, however, for introducing the bill before the report of the committee was printed. His motive in doing so was, the necessity impressed upon his mind of originating the bill without farther delay, at so late a period of the session, in order that it might be printed as soon as possible, with a view to a full discussion of it in the future stages after the report had made its appearance. For this reason he should now enter more into detail than would be proper under other circumstances in so early a stage. It was unnecessary for him to explain to the House, that the old law of debtor and creditor gave to the creditor a power of inflicting unlimited imprisonment on an insolvent. The principle on which it went was this—that the debtor was able to pay, and therefore ought to be confined until he had paid. But, beside the falsehood of the principle itself, the consequences proved most injurious both to the debtor and the creditor in many instances. On the one hand, unfortunate persons who had not the means of paying were kept in confinement, while, on the other, many persons who could pay remained in prison, and set their creditors at defiance. The first measure of relief to the severity of such a system was that entitled the Lords' acts. The principle of this measure was, to entitle the debtor to his discharge on surrendering his property, except it was objected to by any one of his creditors: and in order to secure him against malicious detention, the objecting creditor was obliged to pay him what was called his groats, a sum which was afterwards increased to sixpence. Notwithstanding this regulation great inconvenience was experienced. The gaols became so crowded, that recourse was had to temporary insolvent acts, which were also objectionable in many respects. They were objectionable as *ex post facto* laws; they were also objectionable, from the inequality of their operation. The debtor, who was confined but a few months, was liberated under their provisions, as well as the debtor who was confined for as many years. The consequence was, that whenever an insolvent act was expected, the gaols became crowded with debtors who were anxious to take advantage of it, in many instances, to defraud their creditors. Under these circumstances, it was found necessary to enact a permanent law, which was first brought forward in 1813. The principle of this law was, that not the body, but the property of the debtor should be considered as the satisfaction to which the creditor was intitled. Such a principal was obviously the best for both parties, and in order to carry it into effect a new court was established. Every one approved of the principle, but the bill contained defects in its particular enactments, which led to great abuses. Two attempts were made to remove those defects, but the whole of the four acts that were passed upon the subject had proved inadequate. Among the principal defects, was that of conducting the examination of accounts in open court. It was clear that they could not be examined in such a place with that accuracy which was desirable, and many instances occurred, in which property was kept back instead of being given up to the creditors. Another defect was, that the debtor could choose his own time, after the lapse of three months, to demand his discharge from whence it often happened, that the prisoner lived in the rules of the Fleet or King's-bench until he had spent all his property, and then applied for his release. He was aware that there were provisions in the present act to remedy these imperfections, but they were found to be insufficient. The third defect was, that the creditors had no power to compel the debtor to apply for his release before his property was entirely expended. These were the main objections to the law as it stood, but there were minor ones, into which he would not enter at present, as they must lead him more into detail than he was willing to enter until the bill came regularly before the House. To remedy these disadvantages, he should propose, in the first place, that an examination of the accounts should take place before they were examined in court, as was done under the bankrupt laws. For this purpose, it would be necessary to appoint three commissioners in the Insolvent debtors court, instead of one, and as the court was one from which there could be no appeal, such an addition to the number of the judges was the more reasonable. One of the commissioners should preside at the meeting of the creditors, and no creditor who did not prove his debt at that meeting, should have any claim upon the property. This, he thought, would lead to a *bonâ fide* division of the debtor's effects. To correct the second evil, he would propose that the debtor should be obliged to make his option whether he would take the benefit of the act within fourteen days after his arrest. If he did not do so within that time, he should be considered to have forfeited his claim to be released under it; but the creditor should still be enabled to apply to the court for the purpose of obliging the debtor to apply for his release, in order to come at his property. This provision was not intended to apply to persons confined on mesne process, as it was possible they might not have been arrested for just debts. There were other parts of the system which required improvement. Fees were established now in the Insolvent court, which the bill in contemplation was intended to abolish. He was aware that some objections might be made to such an arrangement, with a view to particular instances; but the best mode of proceeding he thought would be, to adopt the principle of abolition; and if there were any instances in which it might be proper to retain the practice of allowing fees, to make those instances exceptions to the general rule. What he had now said applied to the case of debtors confined in London; but in order to apply the bill to those confined in the country also, he would propose that the magistrates of the quarter sessions should appoint examiners to investigate the accounts, who should report to them in the same manner as the commissioners should report to the court in London. He certainly did not expect that any great objections could be made to the principle of the bill; it was possible that some might disapprove of the additional expense to which the appointment of three commissioners instead of one must lead; but when they considered that the object was to relieve unfortunate debtors from oppression, and also to benefit creditors themselves, he trusted that the expense would not prove an insurmountable difficulty. As great abuses had taken place in consequence of the removal of debtors in the country, from the place at which their creditors resided, to a distance where they could not attend to oppose them, the bill contained a provision, enabling the court in London to select that part of the country for the examination of their accounts where most of the creditors resided. The power of removal should, for the reason already stated, be made not to depend on the debtor himself. Having so far detailed the nature of the measure, he should now move, "That leave be given to bring in a Bill for the Relief of Insolvent Debtors in England."

Mr. Alderman *Waithman* agreed with the noble lord, that the present was not the time to enter into any discussion, but as much misconception had gone abroad with respect to the views of the petitioners, he wished to state, that no indisposition was shown, either by the petitioners, or by any of the witnesses, to the adoption of some measure for the relief of unfortunate debtors. He concurred with the noble lord in general as to the remedy with which he proposed to meet the evils of the present system, but wished to reserve to himself the right of discussing some of the points when the bill came properly before the House.

The *Chancellor of the Exchequer* said, that this question was of so much importance to the interests of the country, and to the cause of justice and humanity, that he should be the last man to oppose the measure because a little more expense might be incurred by it. He should think it his duty, when the bill was introduced to consider what would be the most economical arrangement. He could safely assert, that with the exception of the question regarding the poor-laws, his mind had been more embarrassed upon this subject than on any other. The bill originally brought forward in the other House, by lord Redesdale, had almost totally failed; it had been productive of the most lavish waste of property on the part of the debtor, and of great hardship towards the creditor. After complimenting the zeal with which the noble lord had entered into the subject, and the success with which he appeared to have encountered its difficulties, he pledged himself to afford every assistance in his power to render the bill as perfect as possible.

Mr. *Hurst* also complimented the noble lord on his exertions, and expressed his entire approbation of every part of the bill. The object being one which had frequently occupied his mind, and the disadvantages of the present system having frequently come under his observation, he was the more anxious to afford every assistance in his power towards the completion of a measure so beneficial to the public.

Mr. *D. W. Harvey* thought that a favourable opportunity now presented itself to his majesty's ministers, to correct the general administration of the law with respect to bankruptcy and insolvency. A great expense might also be avoided. There were at present fourteen lists of bankrupt commissioners, costing the country 35,000*l.* a-year. Now if, instead of these, three judges of insolvency were appointed, with a salary of 3,000*l.* a-year each, a great saving would be effected, and the property of bankrupts and insolvents would be divided with greater promptitude and advantage.

Mr. *W. Courtenay* could not agree with the hon. member, that such an alteration as he proposed would be attended with any advantage. On the contrary, he thought it would create a complicated and expensive system, which would be intolerable. He did not think that the increase of commissioners, as suggested by the noble lord who proposed the bill, would be attended with advantageous results. He would admit that the introduction of some auxiliaries to the present commissioner might prove advantageous.

Sir *John Newport* hoped that the bill proposed to be introduced would be extended to Ireland. The evils of the present system had been deeply felt in that island.

Mr. *Leslie Foster* had no doubt but that the laws of Ireland could be assimilated with those of England in this respect, and that the provisions of this measure could be extended. He entirely agreed in the defects of the bill which at present existed, and the melancholy effect it had upon Ireland.

Leave was given to bring in the bill.

BANK AFFAIRS—ARTICLE IN "THE COURIER" NEWSPAPER.] Mr. *Callaghan* wished to put a question to the chancellor of the exchequer on the subject of an article in the Courier newspaper of this day, which appeared to be, and would be considered by the country, to be official. The article in question was as follows:—"As a parliamentary measure calculated to facilitate bullion payments, it is proposed to make provision for the gradual repayment of the sum of ten millions due to the Bank. Such repayment to take place before the commencement of bullion payments, that is, before the 1st February, 1820."—Now, as this was a subject of the greatest importance to the country, he wished to know from the right hon. gentleman, whether any intention was really entertained by government of paying to the Bank this sum of ten millions before the 1st February 1820? The article in question expressly stated this to be the principal feature of the resolutions to be moved in both Houses. When the public were filled with apprehensions respecting the diminution of the circulation, such a paragraph, bearing to be official, could not fail to fill them with the greatest alarm. A statement however from the chancellor of the exchequer, of its being an unauthorized paragraph, would relieve them from their anxiety.

Sir *John Newport* rose to object to articles in newspapers which any member might choose to consider official, being made the foundation of questions like this. The House were bound to interfere to prevent any question being put to a minister on the subject of an article in a newspaper bearing no signature. In such a case, ministers must either remain silent, or commit the public interest by a premature declaration of their intentions. He rose to protest against a practice which had never yet been suffered, and never would be suffered by the House.

Mr. *Grenfell* was surprised that any member should consider any article in a newspaper official. In the resolutions to be moved, there was indeed an allusion to the payment of 10 millions to the Bank, but not a syllable about the time when it was to be paid. He hoped that no answer would be given to a question so irrelevant.

Mr. *Callaghan* said, the article in question carried on the face of it the stamp and character of official.

The *Speaker* trusted the hon. member would, on a little reflection, be convinced that this was the first time that a question was put to any minister on an article in a newspaper, on a subject of such consequence. A practice like this would be attended with the most inconvenient consequences.

The *Chancellor of the Exchequer* said, he felt all the objections to the question which had been stated. He was sorry that the hon. gentleman should have been misled by a private communication to put the question; and he hoped the hon. gentleman would never hereafter consider any article in any newspaper as official. With respect to the paper in question, he could not help saying, that he had seen much in that paper that he entirely disapproved of.

Illicit Distillation in Ireland.] The House having resolved itself into a committee on the Irish Illicit Distillation acts,

The *Chancellor of the Exchequer* proposed a resolution, that leave be given to bring in a bill, " to limit the continuance of the operation of the several acts for imposing Fines upon Townlands and places in Ireland, in respect of offences relating to the unlawful distillation of Spirits, and to amend the said acts, and to provide for the more effectual prevention or suppression of such offences." He intimated that it was his intention, in the event of his obtaining leave to bring in this bill, to accompany it with several regulations, which would, he trusted, in the interim, obviate many of the objections that had been made to the present mode of preventing illicit distillation in Ireland. It was known that in the barony of Innishowen, where illicit distillation at one time raged, it was effectually extinguished by the energy of an effective police; now his intention was, that wherever this police was established, and effectively acted upon, no townland fines should be levied, and that after the summer of the ensuing year, the effect of the measure should be reviewed. He wished, in the interim, to have a clause in force, giving any county a power to apply to the lord lieutenant to call into action, in the particular district, the townland fine system where it might be deemed necessary. He was also prepared to mitigate the operation of the existing practice, and instead of levying the fine where the head or worm of a still was found concealed, only, to levy it where the machine was found complete. Another mitigation would be, to bar the infliction of fines after three years. In the event of a county calling in the aid of the police system, it was intended that government should pay one-half of the expense, and the county the other. With respect to the encouragement of small stills, he thought such a measure could be better introduced in a separate bill. He concluded by moving, " That the chairman be instructed to ask for leave to bring in the said bill."

Sir *J. Newport* did not rise on the present occasion to oppose this motion. No man was more anxious than he was to protect the innocent and punish the guilty. But he was afraid that the effect of this measure would be to divert from the resources of the country a portion of the revenue of Ireland; and when this result was known, then they would be taunted with the unproductive nature of their revenue, though in fact the defalcation was occasioned by mismanagement. Though he had strong objections to the motion, on account of what he considered would be its effect upon the revenue, yet he had a still greater and more insuperable objection to what he conceived would be its operation upon the morals of the people. The effect of the existing system had been, he thought, in a great degree, to rescue a large portion of the lower classes from the miserable condition into which they had been previously sunk by the practice of illicit distillation. He sincerely hoped his predictions, that a repeal of the existing law would renew the old evil, would not follow. He honestly and fairly thought the proposed measure a bad one, and that it would induce a recurrence of the old evil. Being of this opinion, he would certainly in a future stage oppose the bill.

Mr. *Chichester* expressed his cordial satisfaction that the attention of ministers had been at length drawn to the abominable operation of the townland fine system in Ireland. He had always been of opinion, that the moment the evils and distresses which that system provoked were fully explained to the House, redress would be inevitably obtained; and the result verified his anticipation. The proposition of the right hon. gentleman was, to substitute another, and a modified measure for that which was now in such oppressive operation. He earnestly hoped the alteration would succeed, and answer every fair purpose. Whether it did or not, no consideration should induce him to countenance a continuance of the townland fine system. Independent of its notorious inefficiency, he had a fundamental objection to it, which would not be shaken if even the existing system was successful instead of being unavailing—this objection was, that it was unconstitutional and unprincipled—it broke down the barriers between the guilty and the innocent, and punished with indiscriminate severity.

Mr. *Valentine Blake* urged the necessity, in whatever measures were taken, of keeping in full view the necessity of suppressing illicit distillation, which was so fruitful of evil. He did not believe the existing law to be so unjust and improper as it had been represented to be, nor did he hope for much good from the proposed measure.

Sir *J. Stewart* felt himself bound to go hand in hand with the chancellor of the exchequer, in using every exertion to render his meditated measure available. Nobody doubted the necessity of suppressing illicit distillation; but the consequences of the townland fine system were dreadful, and could no longer be endured.

General *Hart* said, that the operation of the existing system was so oppressive and intolerable in Ireland that no change could be for the worse. In fact, the people would have preferred the terrors of martial-law to the continuance of the townland fine system. It was, indeed, the same thing. The only difference was, that the people were oppressed by disciplined troops in a brown uniform instead of a red; and instead of having, in cases of outrage, the protection of honourable men on courts-martial, they had a court of excise, which he was sorry to say, showed no disposition to mitigate the oppression of the system, and which constituted in itself the separate offices of judge, jury, and executioner. The experiment, as it was called, of the townland fine system, was bad; it failed to produce any thing but indiscriminate oppression wherever it had been tried—look, for instance, at the county of Donegal, where armies of excisemen were let loose upon the people—their motive was their rewards, and their rewards were provided by the existing law: fraud, and chicanery, and cunning, were sure to triumph. He had for a considerable period called the attention of the House to the oppression of the existing system in Ireland; he had repeatedly moved for papers with the view of exposing its monstrous effects. His motions were either met with an unseemly refusal, or when carried, their effect retarded, he might almost say lost, by the dilatory manner in which the orders of the House had been obeyed. Three separate motions had been in succession made for the production of papers ordered by the House, and it was only when the terror of committal was resorted to that they were found to be forthcoming. He was glad to find the eyes and ears of ministers open to this question; and he was sure, now that they looked at the existing oppression with a serious intention of removing it, they would find the most cordial co-operation, on the part of the gentlemen of Ireland, in suppressing illicit distillation, which, besides being the bane of the morals of the people, withdrew their labours and attention from the cultivation of the soil, which *pro tanto* subtracted from the wealth of the country, by diminishing the rent of the landlord, and operating injuriously upon the profit of the labourer.

Mr. *Hutchinson* stated, that, as the representative of a city which contained a large body of opulent distillers, whose interests were at stake, he thought, on their part, he had a right to complain of the conduct of his majesty's government on this question. They first displayed a decided hostility to this motion; they then yielded to their opponents, and without notice, or giving any reason for changing sides, took the opposite course; the consequence of which was, from its versatility, very injurious to the interests of the chief distillers of Ireland. He begged to guard himself against any idea of being supposed to countenance the means by which the townland fine system was carried into execution in Ireland. No man could suspect him of countenancing arbitrary or oppressive proceedings; but he still thought the chancellor of the exchequer, after his avowal upon the subject, had placed himself in rather a perilous alternative, in submitting to the abandonment of a system which, according to his opinion, had considerably tended to put down illicit distillation in Ireland. A great alarm prevailed respecting the intended measure for the establishment of small stills. He hoped the right hon. gentleman would not overlook the protection and consideration which was due to the existing large distilleries. He hoped that full time would be given to have this bill printed, so as to let the large distillers understand the situation in which they would be placed by the alteration.

Lord *Mount Charles* strongly contended against the evils of the existing law. He did not wish to see any interest unequally operated upon, but he denied the right or the power of the larger distilleries to impose restrictions upon the operation of a measure which, he was persuaded, would have a most salutary tendency. The county of Donegal, was an example of the oppressive effect of the existing system.

Mr. *French* reprobated the existing system. On the Connaught circuit the calculation was, that it annually led in that district to a thousand perjuries. He was sure that the alteration of the law would have the support of ninety-nine out of the hundred Irish members.

Mr. *Hutchinson* repeated, that the measure was not likely to produce universal satisfaction. He had that day attended a most respectable meeting of Irish distillers, who were certainly at sea upon the question. They had had communications with the chancellor of the exchequer, but were by no means satisfied with the projected measure.

Sir *N. Colthurst* said, that the only object, and he thought it a fair one, of the Irish distillers was, after having embarked large capitals on the faith, he might say, of parliament, to be protected against the consequences of an alteration in the chancellor of the exchequer's system.

The *Chancellor of the Exchequer* said, that some of the Irish distillers had waited upon him that morning, in a state of considerable alarm; but, previously to their leaving him, they did not seem dissatisfied at his projected measure, while they certainly wished, and very naturally, for protection for themselves.

Mr. *Forbes* congratulated general Hart on the perseverance he had shown, in bringing this question to what he trusted would be a successful termination.

Leave was given to bring in the bill.

## HOUSE OF LORDS.

### *Friday, May* 21.

RESTRICTION ON CASH PAYMENTS —PETITION OF THE MERCHANTS OF LONDON IN FAVOUR OF.] The Earl of *Lauderdale* said, he had a petition to present, signed by between 4 and 500 of the most respectable merchants in the city of London, against the conclusions to which the Bank committees had come, as exemplified in their plan for returning to a metallic circulation. If the petitioners aimed at having a permanent paper currency, he undoubtedly totally differed with them; but if, as he understood the petition, they objected to the plan of the Bank committees, as tending to produce a forced diminution of the circulating medium, and thereby to cause the greatest distress, he entirely agreed with them. His lordship having presented the petition, which was read and ordered to lie on the table, observed that the signatures were those of the most respectable persons in the city of London, and they would have been much more numerous had it not been for a circumstance that occurred at the general meeting which was summoned for the purpose of petitioning, namely the attendance there of Messrs. Hunt, Wooler, Pearson, and other persons of the same description, whose business it was to throw every thing into confusion. That these men went there in character, there could be no doubt, as they made no secret that they expected the greatest distress to be produced by the operation of the plan of the government; that half the taxes could not be paid in consequence; that commerce and agriculture would be nearly ruined; in short, that the greatest confusion would be the result: which was exactly what they wanted. The petition, had there been time, would, he was instructed to say, have been much more numerously signed.

The petition was as follows:

To the Right Honourable the Lords Spiritual and Temporal, in Parliament assembled.

The humble petition of the undersigned Merchants, Bankers, Traders and others, of the city of London and its vicinity.

" Humbly sheweth;—That by an act passed in the 58th year of the reign of his present majesty, reciting that an act was passed in the 44th year of his present majesty's reign, intituled. ' An act to ' continue, until six months after the ratification of a definitive treaty of peace, the restrictions contained in several acts ' made in the 37th, 38th, 42nd, and 43rd ' years of the reign of his present majesty, ' on payments of cash by the Bank of ' England, which act had by several subsequent acts been continued until the ' 5th day of July 1818, and reciting that ' unforeseen circumstances which had oc-

'curred since the passing of the last of the 'said acts had rendered it expedient that 'the said restrictions should be farther 'continued, and that another period 'should be fixed for the termination 'thereof,' it is enacted that the said act should be, and the same was, thereby further continued until the 5th day of July, 1819.

"That the same circumstances which rendered it expedient that the said restrictions should be continued by the said act of the 58th year of the reign of his present majesty, until the 5th day of July, 1819, have not ceased to exist.

"That your petitioners have reason to apprehend, that measures are in contemplation with reference to the resumption of cash payments by the bank of England which in the opinion of your petitioners will, as they humbly submit to your lordships, tend to a forced, precipitate, and highly injurious contraction of the circulating medium of the country.

"That the consequences of such contraction will, as your petitioners humbly conceive, be to add to the burthen of the public debt; greatly to increase the pressure of the taxes; to lower the value of all landed and commercial property; seriously to affect both public and private credit; to embarrass and reduce all the operations of agriculture, manufactures, and commerce, and to throw out of employment (as in the calamitous year of 1816) a great proportion of the industrious and labouring classes of the community.

"That your petitioners are fortified in the opinion which they have thus humbly submitted to your lordships, by the distresses experienced by the commercial, trading, manufacturing, and agricultural interests of the kingdom, from the partial reduction of the Bank issues, which it appears has recently taken place.

"That your petitioners humbly beg leave to represent to your lordships that they are fully convinced that neither the manner nor the time which your petitioners have reason to apprehend is intended to be proposed for the resumption of cash payments, is suited to avoid the evils which they anticipate.

"Your petitioners therefore most humbly pray your lordships to take the premises into your serious consideration, and that the time, as at present fixed by law, for the termination of the restriction upon payments of cash by the Bank of England, may be extended to a period which shall not tend to a forced and precipitate contraction of the circulating medium of the country or, to embarrass trade, or to injure public credit, agriculture, manufactures and commerce, and that your lordships will be pleased to grant such farther or other relief in the premises as to your lordships shall seem meet."

REPRESENTATION OF THE DIRECTORS OF THE BANK OF ENGLAND.] The Earl of *Lauderdale*, previous to proceeding to the order of the day, stated, that he understood there had been that morning a communication made to his majesty's ministers from the court of directors of the bank of England; and if so, he thought it of importance, with a view to the discussion their lordships were about to commence, that some information should be given respecting it. He wished, therefore to know whether a communication had been so made from the court of directors of the Bank of England to his majesty's ministers; and if so, whether there was any objection to lay such communication before the House?

The Earl of *Liverpool* stated, that he had that morning received a visit from the governor and deputy governor of the Bank, who handed to him a paper from the court of directors, stating it to contain the opinion of that body with respect to the plan proposed by the Bank committees of the two Houses of parliament. He asked of the two gentlemen from whom he received the paper, whether it was handed to him with the view or intention that it should be laid before the two Houses of parliament? They replied that the communication was not made with the view or intention of its being laid before parliament, but for the purpose of putting his majesty's ministers in possession of the opinion of the court of directors with respect to the plan proposed by the Bank committees. He then stated to them, that if any question was asked of him in parliament, with reference to such a communication, he of course, could not deny that he had received it, nor could he refuse, if called for, to produce it, for the information of parliament. The governor and deputy governor replied, that if it was wished to lay the paper before parliament, the court of directors had no objection. His lordship then produced the paper alluded to, and stated, that he was ready to lay it upon the table, if moved for.

The Earl of Lauderdale then moved for a copy of the said paper which was immediately presented by the earl of Liverpool, and is as follows:

REPRESENTATION, agreed upon the 20th day of May, 1819, by the Directors of the Bank of England, and laid before the Chancellor of the Exchequer.

The Directors of the Bank of England, having taken into their most serious consideration the Reports of the secret committees of the two Houses of Parliament, appointed to inquire into the state of the Bank of England, with reference to the expediency of the resumption of cash payments at the period now fixed,—have thought it their duty to lay before his majesty's ministers, as early as possible, their sentiments, with regard to the measures suggested by these committees for the approbation of parliament.

In the first place it appears, that, in the view of the committees, the measure of the Bank recommencing cash payments on the 5th of July next, the time prescribed by the existing law, "is utterly impracticable, and would be entirely inefficient, if not ruinous."

Secondly, it appears, that the two committees have come to their conclusion at a period, when the outstanding notes of the Bank of England do not much exceed 25,000,000*l.*; when the price of gold is about 4*l.* 1*s.* per ounce; and when there is great distress, from the stagnation of commerce, and the fall of prices of imported articles.

It must be obvious to his majesty's ministers, that, as long as such a state of things shall last, or one in any degree similar, without either considerable improvement on one side, or growing worse on the other, the Bank, acting as it does at present, and keeping its issues nearly at the present level, could not venture to return to cash payments, with any probability of benefit to the public, or safety to the establishment.

The two committees of parliament, apparently actuated by this consideration, have advised, that the Bank shall not open payments in coin for a period of four years, but shall be obliged, from the 1st of May, 1821, to discharge their notes in standard gold bullion at mint price, when demanded in sums not amounting to less than thirty ounces. And, as it appears to the committees expedient, that this return to payments at mint price should be made gradually, they propose, that on the first day of February next, the Bank should pay their notes in bullion, if demanded in sums not less than sixty ounces, at the rate of 4*l.* 1*s.* an ounce, and from the 1st of October, 1820, to the 1st of May following, at 3*l.* 19*s.* 6*d.* an ounce.

If the Directors of the Bank have a true comprehension of the views of the committees in submitting this scheme to parliament, they are obliged to infer, that the object of the committees is, to secure, at every hazard, and under every possible variation of circumstances, the return of payments in gold at mint price for bank notes, at the expiration of two years; and that this measure is so to be managed, that the mint price denominations shall ever afterwards be preserved, leaving the market or exchange price of gold to be controlled by the Bank, solely by the amount of their issues of notes.

It farther appears to the Directors, with regard to the final execution of this plan, and the payment of Bank notes in gold at mint price, that discretionary power is to be taken away from the Bank; and that it is merely to regulate its issues, and make purchases of gold, so as to be enabled to answer all possible demands, whenever its treasury shall be again open for the payment of its notes.

Under these impressions, the Directors of the Bank think it right to observe to his majesty's ministers, that being engaged to pay on demand their notes in statutable coin, at the mint price of 3*l.* 17*s.* 10½*d.* an ounce, they ought to be the last persons who should object to any measure calculated to effect that end; but as it is incumbent on them to consider the effect of any measure to be adopted, as operating upon the general issue of their notes, by which all the private banks are regulated, and of which the whole currency, exclusive of the notes of private bankers, is composed, they feel themselves obliged, by the new situation in which they have been placed by the Restriction Act of 1797, to bear in mind, not less their duties to the establishment over which they preside, than their duties to the community at large, whose interest in a pecuniary and commercial relation, have in a great degree been confided to their discretion.

The Directors being thus obliged to extend their views, and embrace the interests of the whole community, in their consideration of this measure, cannot but feel a repugnance, however involuntary, to pledge themselves in approbation of a system, which, in their opinion, in all its great tendencies and operations, concerns the country in general more than the immediate interests of the Bank alone.

It is not certainly a part of the regular duty of the Bank, under its original institution, to enter into the general views of policy, by which this great empire is to be governed, in all its commercial and pecuniary transactions, which exclusively belong to the administration, to parliament, and to the community at large; nor is it the province of the Bank to expound the principles, by which these views ought to be regulated. Its peculiar and appropriate duty is the management of the concerns of the banking establishment, as connected with the payment of the interest of the national debt, the lodgments consigned to its care, and the ordinary advances it has been accustomed to make to government.

But when the Directors are now to be called upon, in the new situation in which they are placed by the Restriction act, to procure a fund for supporting the whole national currency, either in bullion or in coin, and when it is proposed that they should effect this measure within a given period, by regulating the market price of gold by a limitation of the amount of the issue of bank notes, with whatever distress such limitation may be attended to individuals, or the community at large; they feel it their bounden and imperious duty to state their sentiments thus explicitly, in the first instance to his majesty's ministers, on this subject, that a tacit consent and concurrence at this juncture may not, at some future period, be construed into a previous implied sanction on their part, of a system, which they cannot but consider fraught with very great uncertainty and risk.

It is impossible for them to decide beforehand what shall be the course of events for the next two, much less for the next four years; they have no right to hazard a flattering conjecture, for which they have not real grounds, in which they may be disappointed, and for which they may be considered responsible. They cannot venture to advise an unrelenting continuance of pecuniary pressures upon the commercial world, of which it is impossible for them either to foresee or estimate the consequences.

The Directors have already submitted to the House of Lords, the expediency of the Bank paying its notes in bullion at the market price of the day, with a view of seeing how far favourable commercial balances may operate in restoring the former order of things, of which they might take advantage: and with a similar view they have proposed, that government should repay the Bank a considerable part of the sums that have been advanced upon exchequer bills.

These two measures would allow time for a correct judgment to be formed upon the state of the bullion market, and upon the real result of those changes which the late war may have produced, in all its consequences, of increased public debt, increased taxes, increased prices, and altered relations, as to interest, capital, and commercial dealings with the continent; and how far the alterations thus produced are temporary or permanent; and to what extent, and in what degree, they operate.

It was the design of the Directors, in pursuance of the before-mentioned two measures, to take advantage of every circumstance which could enable the Bank to extend its purchases of bullion, as far as a legitimate consideration of the ordinary wants of the nation, for a sufficient currency, could possibly warrant. Beyond this point, they do not consider themselves justified in going, upon any opinion, conjecture, or speculation, merely their own; and when a system is recommended, which seems to take away from the Bank any thing like a discretionary consideration of the necessities and distresses of the commercial world; if the Directors withhold their previous consent, it is not from a want of deference to his majesty's government, or to the opinions of the committees of the two Houses of Parliament, but solely from a serious feeling, that they have no right whatever to invest themselves, of their own accord, with the responsibility of countenancing a measure, in which the whole community is so deeply involved; and possibly to compromise the universal interests of the empire, in all the relations of agriculture, manufacture, commerce, and revenue, by a seeming acquiescence, or declared approbation, on the part of the Directors of the Bank of England.

The consideration of these great questions, and of the degree in which all these leading and commanding interests may be affected by the measure proposed, rests with the legislature; and it is for them, after solemn deliberation, and not for the Bank, to determine and decide upon the course to be adopted.

Whatever reflections may have from time to time been cast upon the Bank, whatever invidious representations of its conduct may have been made, the cautious conduct it adopted, in so measuring the amount of currency, as to make it adequate to the wants both of the nation and of the government, at the same time keeping it within reasonable bounds, when compared with what existed before the war, as is shown in the Lords' Reports, pages 10, 11, 12, and 13, the recent effort to return to a system of cash payments, which commenced with the fairest prospects (but which was afterwards frustrated by events that could not be foreseen nor controlled by the Bank) are of themselves a sufficient refutation of all the obloquy, which has been so undeservedly heaped upon the establishment.

The Directors of the Bank of England, in submitting these considerations to his majesty's ministers, request that they may be allowed to assure them, that it is always their anxious desire, as far as depends upon them, to aid, by every consistent means, the measures of the legislature, for furthering the prosperity of the empire.

ROBERT BEST, Sec.

BANK OF ENGLAND—RESUMPTION OF CASH PAYMENTS.] The order of the day being read, for taking into consideration the Reports of the Secret Committee on the Resumption of Cash Payments by the Bank of England,

The Earl of *Harrowby* proceeded to regret his inability, arising from severe personal indisposition, to enter at any length into the consideration of the very important question which stood for discussion. Had it been on other occasions he might have requested the indulgence of their lordships to postpone the discussion, but aware as he was of the intense interest excited by this question amongst the public, he felt it incumbent on him to proceed, though he must be under the necessity of only very briefly entering into the consideration of the subject. His lordship proceeded, in a very low tone of voice, which rendered it difficult to hear what he said, to observe, that it was the less necessary for him, had he been able, to go through the details of the subject, as they were so amply supplied by the reports, and the evidence annexed to them. The plan proposed for a return to a metallic circulation was, in his judgment, the best calculated to unite the two classes of opinions which prevailed with regard to this question. Thus, those who advocated the return to cash payments, and who must of course be aware that it was impossible to return to that system on a sudden and without preparation, would see that the express object of the proposed plan was, that return to cash payments which they so much desired, only taking care that the return should be by means of gradual and preparatory steps, in order that no danger might arise from the change. Those, on the other hand, who saw nothing but danger in giving up our present system of paper circulation, and returning to a metallic currency, would see, that by means of the preparatory measures resorted to, with a view to attaining that great object, ample time was afforded, in the interval, in case of any danger arising, to take whatever measures might be deemed necessary to avert the evil. With regard to the petition presented by the noble lord, from petitioners no doubt highly respectable, it appeared to him, that they had entirely misapprehended the object of the plan proposed by the committee, no forced or injurious diminution of the circulating medium being contemplated by the committee, who, on the contrary, had arranged their plan with the express view, by means of its gradual operation, of preventing that forced diminution of the circulating medium, which would undoubtedly be injurious. His lordship, after again regretting his inability to enter into the consideration of the subject, concluded by moving the following Resolutions:

1. " That it is expedient farther to continue the Restriction upon Cash Payments by the Bank for a time to be limited, in such manner and on such conditions as shall be provided by parliament, with a view to insure its final termination at the period to be fixed.

2. " That previously to the Resumption of Cash Payments by the Bank, it is expedient that the Bank should be required, at a time to be fixed by parliament, to give in exchange for its notes gold duly assayed and stamped at his majesty's mint (if demanded, to an amount not less than a number of ounces to be limited), valuing the same in such exchange, at a price not exceeding 4*l.* 1*s.* per ounce.

3. " That at the expiration of a farther period, to be also fixed by parliament, the Bank should be required to give in exchange for its notes, gold so assayed and stamped (if demanded, to an amount not less than a certain number of ounces to be limited), valuing the same in such exchange at the mint price.

4. " That at some time between the two periods abovementioned, the Bank should be required to give in exchange for its notes, gold so assayed and stamped, valuing the same at a price between 4*l.* 1*s.* and the mint price: and that after the price at which gold shall be valued in such exchanges shall have been once lowered, it shall not again be raised.

5. " That after the period shall have arrived at which the Bank shall be required to give gold in exchange for its notes at the mint price, a farther period to be fixed by parliament should be allowed, and a certain notice given, before the Bank shall be required to pay its notes in cash.

6. " That it is expedient that all laws, which prohibit the melting or exportation of the gold or silver coin of the realm, and the exportation of gold or silver bullion made of such coin, should be repealed."

The first Resolution being put,

The Earl of *Lauderdale* rose to move, as an amendment, a set of Resolutions, founded on a view of the subject very different from that taken by the noble earl and the majority of the committee. He therefore urged the propriety of time being afforded for the consideration of his propositions, in the same manner as had been observed with regard to those of the noble lord. He wished them to be printed, and a future day to be fixed for going into the debate, by which means their lordships would have time to consider the subject more maturely. He thought it impossible for the House, in its present state of imperfect information, to come to a satisfactory decision on the great question of the resumption of cash payments. He, therefore, moved, that all the words of the Resolutions proposed by the noble earl, after the word "that," be omitted, and the following Resolutions submitted in their stead:—

1. "That it appears to this House, that during the greater part of the year 1616, and the beginning of the year 1817, the exchanges with foreign countries were generally such as made it advantageous to import both gold and silver bullion into this country; and that the evidence reported by the Committee proves, that at that time large importations of these metals actually took place.

2. "That since the month of March, 1817, when our silver coin was, by his majesty's proclamation, of date the 1st of that month, established in circulation, the exchanges with foreign countries have been such as to render it impossible to import gold bullion with a profit, and to have made it uniformly advantageous to export that metal, whilst the importation of silver bullion has constantly been attended with a profit; and that the evidence, as reported by the committee, proves beyond a doubt, that gold since that period has been exported to a great amount, whilst silver bullion has been imported from almost every country with which we have dealings.

3. "That, under these circumstances it does not appear to this House, that there is any satisfactory evidence of an overissue of paper, which is always attended with a rise of the price of both gold and silver bullion above the mint price, and a state of exchange that renders it impossible to import either gold or silver bullion with a profit.

4. "That the exchanges, as well as the price of gold and silver bullion, since the introduction of our silver coinage, under the sanction of the act of the 56th of the king, chap. 68, have uniformly exhibited that state of things which has always been experienced, and must always take place, when the value of silver coin is diminished, whether that diminution is effected by lowering its intrinsic or raising its denominative value.

5. "That, judging from the quantity of bullion which the evidence shows us the Bank possessed for some months before and after the mint regulations were acted upon, and from the state of the exchanges, which before the month of March, 1817, rendered the importation of gold and silver bullion highly profitable, as well as from the preference which it is proved the public then manifested to receive Bank notes rather than gold coin, we cannot doubt that, though in the beginning of the year 1817 the Bank had a greater issue of paper than it has at present, it might at that time have resumed payments in coin with perfect safety to that establishment.

6. "That although since the new mint regulations have been carried into effect, our gold coin has been banished from circulation, and the exchanges have been nominally unfavourable, when calculated in that metal, in which payments no longer could be obtained; yet the real exchange has been uniformly favourable to us, when calculated in silver coin, the only metallic coin in circulation; that we cannot, therefore, doubt of the truth of what the common rules of arithmetic may inform us, that if the mint regulations had assimilated the mint prices of the two metals to their market prices, the exchange calculated even in gold coin would have been uniformly in our favour, and that we must therefore be of opinion, that the Bank may resume payments in cash, with safety to that establishment, whenever the mint values of those metals are made to correspond with their market values, provided it has recovered from the injury its funds have sustained, by its having reposed too great confidence in the wisdom and prudence of the legislature, who sanctioned the existing mint regulations.

7. "That it appears, therefore, to this House, that an alteration of our mint regulations, such as will approximate the mint values of our silver and gold coin to the market values of these metals, is a necessary preliminary step to the restoration of our currency to a satisfactory state."

Earl *Grey* rose, not to speak on the main question before the House, but merely on the mode in which it would be proper for their lordships now to proceed. One set of resolutions had been moved by the noble earl opposite, upon which counter resolutions had been moved by his noble friend near him. No time had been afforded to their lordships to consider these resolutions, and most of those who heard him were probably ignorant of the grounds and reasons on which they were founded. For himself he must say, that he required time for deliberation, for

for he felt himself in a very unfit state to come to any decision. The resolutions moved by the noble earl opposite proceeded, as he understood, on the ground that over issues of paper, had occasioned a difference between the market and mint price of gold and that, to enable the Bank to resume payments in cash within the period fixed by the committee, it was necessary that there should be a contraction of those issues. In this opinion he was disposed to concur. It was not therefore from any objection to the object of the plan recommended by the committee, that he wished for delay. Whatever opposition might be made to that measure, for the purpose of putting off cash payments to an indefinite period, was an opposition on a principle to which he could give no countenance. But what he had looked for was the statement of some reasons to show that it would be in the power of the Bank to carry the plan into execution; but he could find no argument or reasoning in the report that led to such a conclusion. Their lordships had a right to expect, that the explanations which were omitted in the report should be given to the House before they proceeded to deliberate on the proposed plan. This must be felt to be the more necessary, when their lordships saw that his noble friend, who had directed so much of his time to the business of the committee, and who had perhaps more knowledge of the subject than any other man in the country, had come to a conclusion directly the opposite of that expressed in the resolutions of the noble earl. His noble friend was of opinion, that the embarrassment in which the country was now placed with respect to the circulating medium, did not arise from over issues on the part of the Bank, but from the state of the coinage. In this state of doubt, in which their lordships were placed by opposite opinions, was it unreasonable to expect, that the resolutions of his noble friend should be printed, and time allowed for their consideration? He would propose Monday, or any other day which might suit the convenience of the noble lord.

The Earl of *Liverpool* said, he had, when the report was laid on the table, expressed his opinion, that it was of great and essential importance that the subject should undergo a thorough discussion on as early a day as possible. A petition had been laid on the table against the plan, and apprehensions were entertained of its producing commercial distress; but those apprehensions were not the consequence of disapprobation of the recommendation of the report, but of the state of uncertainty which prevailed as to the measures which might be adopted. The mass of evidence in the appendix of the report, contained all the reasoning on which the plan was founded, as well as the principles on which it was objected to. The present question was in some measure connected with that in which the general conduct of the government was involved; and in the situation in which he stood, it was not unreasonable, that he should desire to be in possession of the decision of the House as speedily as possible. As to the question of delay, he would, however, be regulated by the general feeling of the House. If their lordships thought fit, he should wish to proceed now.

The Earl of *Roslyn* pressed on the noble earl the advantage of postponing the discussion until Tuesday, as the question would then receive a more careful and satisfactory examination; and as the subject would not be discussed in another place until Monday, where the practical measures must originate, it was evident that no time would be lost.

The Earl of *Liverpool* rose, and commenced by observing, that the proposition of the noble lord ought, if there was any new matter or new suggestion for their consideration, to operate as an irresistible call upon their lordships to put off the question. But when every one was aware that the subject matter of the resolutions had been sifted from time to time as minutely and laboriously as any matter that ever was discussed, when the evidence on the table was known to contain every thing that could be said on both sides of the question, when the noble lord had embodied in his counter-resolutions opinions, which he was known to hold, and which he had frequently explained and defended, when they were even made the subject of correspondence in the public prints, he conceived that to delay the discussion of so important a question, would be attended with the greatest inconvenience, without affording in return any adequate advantage. He could state, from his own knowledge, that there were many among those, who doubted the propriety of the plan, most anxious that the discussion should be brought on as soon as possible. Omitting, therefore, those points which related either personally to himself, or particularly to the official situation in which he stood, he should proceed to state the grounds on which he supported his opinions, and to give that full explanation to which the House and the country were entitled. In doing so, as he had already stated, he should keep the general question clear of other topics, in order that it might be discussed upon the ground of general principle, and without reference to individuals, or the retrospection of what they had done. The question was in its nature so complicated and extensive, and in some of its views so abstract, that it was a formidable undertaking for any man to explain it, under all its aspects in the face of their lordships and of the public. He would endeavour to strip it as much as possible of abstract theories, with which it had no practical connexion, and to state on practicable grounds the principle on which he conceived the question to rest, and on which the committee had grounded their recommendation.

There were three great questions to be considered in the discussion of this subject. First whether it was expedient to return to some fixed standard of value; secondly whether it was expedient and practicable to return to the ancient standard; and thirdly, by what means it was to be done. With regard to the first, he had always contended that the measure of the Bank restriction, from whatever cause it originally proceeded, had enabled this country to weather that dreadful storm in which she was tossed so long, and to get through those difficulties, which, without its assistance, she could never have surmounted. But, while he contended for this, he had never concealed from himself, from their lordships, or from the public, that it was a measure which could not be acted on as a general and permanent part of the system of this country. If he was asked whether it was a principle that might be adopted in all wars, he would say, that no former war bore analogy to the last. If they could show him a time when the whole continent of Europe was directed by one man or one government, not merely to the conquest, but to the ruin, and through the ruin, to the conquest of this country; if they could show him any case that had existed, or point out from any probable course of circumstances, that any such was likely to exist, the question might admit of some dispute, from the production or the anticipation of analogous instances. But if they felt, as he did, that the circumstances were extraordinary and unprecedented, and unlikely, at any future time, to find a parallel in history, they must allow, that the principle need not necessarily be extended to other wars. If ever there was a case, with respect to which it could be said that *exceptio probat regulam*, it was this. The very circumstances of our situation furnished in itself the strongest presumption that it never could be looked to as a permanent rule. Whatever exertions the country might be called upon to make under those circumstances, they were now past, and the time had come at length, when it was proper to consider what policy ought to be adopted under a total change of affairs. Parliament had already, by providing for the discontinuance of the system after the first six months of peace, pronounced its opinion on the subject. It had also pronounced its opinion since the peace, particularly in the preamble to the act of 1816, where it was declared to be a duty to the country that they should return, as soon as it could be done with safety, to the ancient system.

The first question was, whether it was expedient that they should return to some fixed standard of value. This was the important point; for in his belief the great mass of opposition to the measure would be found to consist, not in the question whether they should return to cash payments sooner or later, but (under whatever disguise it might be stated), whether they should return to cash payments at all. It was an opinion entertained by many, that there should be no standard of value. The first question that suggested itself on looking at such an opinion was, whether this system had ever been acted upon by any civilized country, from the beginning of the world. Besides, he would ask how it must operate? They knew the disgraceful measures resorted to, even in this country, in former times, to depreciate the standard of value; but even that alternative, bad as it was, presented advantages not to be found in the rejection of a standard altogether. It was a change, an alteration, a debasement, of the standard; but still it established something fixed, in the room of something that was also fixed. No body of men, he believed, was ever entrusted with so much power as the Bank of England, or had less abused the power entrusted to them: but would parliament consent to commit to their hands what they certainly would refuse to the sovereign on the throne, controlled by parliament itself—the power of making money, without any other check or influence to direct them, than their own notions of profit and interest? The Bank of England issued 20 millions of notes, for which the public had at one time paid the Bank about one million a year interest; and was it rational that the public should pay a million a year, not for the security of the Bank, but for the Bank making use of the security of the nation? Might not government with more propriety proceed to issue its own notes, and save the million a year to the public? He was far from recommending such a course. Nothing could be more unwise than for government to erect itself into a company of bankers; but it seemed to be more reasonable than the other course to which he had just alluded.—This fact was unquestionable at least—that no country in the world had ever established a currency without a fixed standard of value. The standard might be altered as their circumstances changed—as they became richer or poorer. It might be gold, it might be silver, it might be copper, or even iron. It might be any thing that had real value in it; though the metals had been preferred for this purpose by the general consent of all nations. But it could not be paper, which has no value, and is only promise of value; and there was no principle in morals or in politics that could be more clear than—that in time of peace, and without the existence of the dangers to which they were exposed by war, they should not perpetuate a system which could only be justified by the difficulties of the country. And should England, the greatest commercial nation, the nation in which commerce and political economy were best understood, confer for the first time, on any body of men, whatever may be the purity of their motives and conduct, the power of making money according to the suggestions of their own interest, or what they conceived to be the interest of the public. He wished to put this principle in the front of the debate, as the ground upon which he was anxious to rest all the discussion.

The next question to which he had to call their lordships attention was, as to the expediency and practicability of returning to the ancient standard of value. Policy, good faith, and common honesty, called on the state to return to this ancient standard, if possible. It might be said, that the debts to the public creditor were contracted, when the country was under different circumstances; but such an argument would apply at all times. The engagement was to pay according to a certain standard; and those who engaged to do so were bound by that engagement, if they meant to act honestly. But the consequence of departing from that standard was not only objectionable, as between the state and the individual, it must also operate on the engagements between every individual debtor and creditor in the country. It was impossible in either case to enter into calculations of individual loss or gain. Those who entered into the engagement did so at their own risk, and the state having made or authorised the contract, was bound to see it fulfilled without reference to those who had benefited, or those who had lost. But was this practicable? He was prepared to show, that it was not only practicable, but that no permanent inconvenience could arise from the adoption of the principle he recommended. In the three last years of the war, from the great military exertions which this country made, and the large subsidies it granted to other countries, gold rose and remained at an average price of *5l.* 4*s.* per ounce —being a rise of between twenty and thirty per cent above the standard of the country. When peace came, the country had to retrace its steps, and had the reduction of the price of gold to its former state to accomplish. In 1814 the exchanges became less unfavourable, and the price of gold was lowered. The progress of its return to the original price was interrupted by the return of Buonaparté, and the state of the continent, consequent upon that event. The final peace was concluded at the close of the year 1815. Accordingly about the middle of 1816, the exchanges fell to par—and became soon after decidedly favourable to this country. Gold fell to the Mint price. When the price was stated at 3*l.* 18*s.* 6*d.* it was in fact, during a part of the time, at 3*l.* 15*s.* The difference arose from the determination of the Bank to have the exclusive purchase of the gold. With the experience of these facts before the country, it was absurd to talk of inconveniences and dangers attending a similar change of things. In twelve months, the country suffered a change in its standard, of from twenty to thirty per cent. In the whole year that followed, the exchanges were favourable, and gold was at, or below the Mint price. It then rose, from causes about which there are differences of opinion, but since that time gold has risen no higher than six and a half per cent above the standard. Even during the deliberation of the committee, and notwithstanding the last act for the continuation of the restriction on the Bank, gold had fallen to 4*l.* 0*s.* 6*d.* being only about three per cent above the standard price of the country. He allowed that if it were proposed to return to cash payments within a certain number of months, and if it were in consequence necessary that the Bank should suddenly contract the existing circulating medium, such a proceeding might be attended with inconvenience; but with how much less inconvenience would the country, under such supposed circumstances, have to contend, the difference between the actual and the Mint price of bullion being only about three per cent, than it had to contend with when the difference between the actual and the Mint price of bullion was 20 or 30 per cent!—In this view of the question, it was stripped of a great part of its difficulties.

Now, with respect to the reports which had been made by the committees appointed by both Houses of parliament to investigate this important subject, he certainly had no right to object to any person exercising his opinion on those reports; but it was a notorious fact that the minds of many men were made up before the presentation of those reports. He understood that some of those who were the most adverse to the propositions recommended by the committees, had distinctly declared that they did not want to read the reports—reports on which those committees had, not for a short time, but for whole months, bestowed patience and attention, which could be equalled only by the magnitude of the subject towards which their inquiries had been directed! If he had been successful in bringing their lordships to this conclusion—that they must return to the fixed and ancient standard of value: if he had shown how little difference there was between the actual and the mint price of bullion, and that a very small exertion would therefore, in all probability, effect that object without delay, he should think that he had done enough to persuade them to make that exertion. But it was the object of their lordships committee, while they were anxious to obtain the great desideratum of replacing the currency on its old and established principle, to do so in a manner the most gradual, and the least likely to occasion even temporary inconvenience; in short, to adopt such means of attaining the end in view, as might divest the question, as much as possible, of every rational objection that might otherwise be advanced.

In consequence of this solicitude on the part of the committee, they had adopted a plan, which, whatever might be said against it in other respects, had at least the advantage of operating most gradually and insensibly, most effectually adopting in practice the principle of caution on which the committee wished to proceed. And yet, their lordships were told in the petition which had been recently presented by a noble earl, "That the measures in contemplation, as recommended by the Secret Committees of both Houses of parliament, would tend to a forced, precipitate, and highly injurious contraction of the circulating medium." Now, as the operation of the proposed measures was not to commence until February next, and even then only enjoined the exchange under certain conditions of Bank of England notes for bullion, at a price somewhat above what is now the market price, and as it is not proposed to compel the Bank to return to cash payments for four years, he confessed himself at a loss to understand how such propositions could be termed "a forced and precipitate contraction of the circulating medium of the country."

A noble earl had asked, whether it was in the power of the Bank at any time to bring gold to the Mint price by contracting their issues of paper. He (lord Liverpool) was aware, that although this was a most important branch of the question, it was one on which it was difficult to arrive at an unquestioned opinion. But he believed it would be found, on looking at the report of their lordships committee, that on the examination of practical men, there was not a single individual, even among those most hostile to the plan recommended by the committee, and who entertained the greatest jealousy on the subject of the present inquiry, that did not admit the fact that a contraction of the Bank issues must necessarily have the effect of rendering the exchanges favourable to this country, and of lowering the price of bullion. The point alone on which a geat difference of opinion existed on this part of the subject was, the degree of inconvenience with which such a reduction of the existing circulating medium would be attended. Some thought the inconvenience would be considerable; others that it would be insignificant: for himself, he never could entertain a doubt, that, if the circulating medium were gold, a reduction of the amount from 50 to 30 millions must increase its value, on the principle that the value of all property increased in proportion to the diminution of its amount: the same must also take place with reference to a circulating medium of paper. In saying this, he must be understood as admitting, however, that other causes might operate in counteracting the effect of such a reduction. What he maintained was, the truth of the general principle, that whenever the quantity of any article was diminished *pro tanto* its value was increased.

That other causes might operate in counteraction of this principle, was evident from the fact, that the Bank did last year reduce their issues of paper three millions; and that, as there appears to have been no increase in the paper issued by country Banks, the whole of the circulating medium of the country was very much reduced in amount; notwithstanding which, the exchanges were more unfavourable, and the price of bullion was higher than at the beginning of the same year. To what causes was this to be attributed? To the large pecuniary transactions on the continent, and especially in France, which took place towards the close of the year. This was a proof, therefore, of that which he had already admitted, that there might be causes counteracting the effect of a reduction of the circulating medium; but those occasional counteractions by no means affected the general principle. In such events the reduction of issues must be farther extended, and it will at last produce its effect; though that effect may under some circumstances be obtained by sacrifices which some may think not worth the expense at which they are purchased.

He would not have said so much on that part of the subject, had it not been for what had fallen from the noble earl; and he would now proceed to the consideration of the plan recommended by the report, for eventually arriving at the resumption of cash payments. If it were admitted, that the resumption of cash payments was desirable, the question for their lordships to determine was, whether it could be accomplished by any course more gradual, and therefore less injurious, than the course recommended in the report. What were the merits of the plan therein suggested? The advantages of it appeared to him to be these:—If parliament were to call on the Bank to pay in cash, that is in specie, at any given period, the Bank must provide the necessary means for such payments, by the prescribed time. He believed, and he fancied it was also the belief of the Bank, that if they were called upon to pay in cash to-morrow, the demand would not be great for internal circulation. But still they must be provided, not only with sufficient gold to meet the chances of the exchanges actually being against them for a short time, but for the farther demands for coin which fancy or caprice might suggest. The Bank must therefore, under such circumstances, be provided with a large treasure. But the advantage of the plan recommended by their lordships' committee was, that the Bank might open with a much smaller amount of treasure than if they were obliged to commence their operations by the resumption of cash payments.

The next and the most striking advantage of the proposed measure was, that the Bank would begin to put it in operation on a perfectly fair principle. Without recognizing any permanent depreciation of the standard, the report recommended to arrest the evil where it was. It proceeded on the ground, that if bullion could not be issued at once at the mint price, it might in a short time be issued at that price, of 4*l.* 1*s.* per ounce, at which it was when the report was drawn up. To follow, therefore, the suggestion of the report, would be to make an earlier beginning, from which gradually to work to the unrestrained payment in specie. This could not be done by means of coin, without such a diminution of the intrinsic value of the coin as would be attended with great inconvenience; but with bullion, under the regulations recommended by the committee, it might be done without the same objections. The plain and intelligible principle of the proposition therefore was—not to put off the opening of the Bank until it possessed such an abundance of coin as would meet all contingencies, but to begin at the existing market price of gold, arresting the evil where it was, and so gradually working to the desired consummation.—If any doubt could arise on this part of the proposition, it appeared to him that it might be fairly applicable to the postponement of the period when it was proposed that the operation of the measure should commence. It might be asked, "Why postpone it so long?—If we are to begin with the market price of bullion, why not commence at the earliest day on which it may be practicable to carry the plan into effect?" He really thought, that on the first view of the subject, it was difficult to meet that question.

He could see no reason for not taking something higher than the present market price of bullion, as the foundation of the measure, and making it immediately operative, were it not for the two circumstances of the great repayments that it appeared advisable to make of the advances from the Bank to the public, and of the necessity of a considerable loan; both of which would counteract the advantages that might otherwise result from the proceeding.

With respect to those Bank advances, their lordships would see in the report, that the Bank directors stated the indispensable necessity of their being repaid by government. But if the opinion which prevailed in a large part of the city of London on that subject could be accurately ascertained, he believed it would be found, that the greatest jealousy existed on the subject of that repayment. He fairly confessed, that if there were to be no alteration in the system, he should consider that jealousy to be well founded; for he believed no merchant or other individual, however respectable the Bank of England (and no man was less inclined to deny its respectability than himself), but would rather that the circulating medium of the Bank should be partially founded on government security; respecting which there could be no partiality or favor, or caprice, than that the whole of it should be issued upon commercial discount. As, however, the Bank was to be called upon gradually to resume cash payments, the gradual repayment to the Bank of a portion of the advances made to government seemed to him to be a just proceeding. The advances of the Bank to government amounted at this time to less than 20 millions, and it would be seen by the evidence, that the Bank had recently considered a reduction to that amount as sufficient. It is true that a part of the balances of government in the hands of the Bank had since been taken from them: for this an allowance should be made. In his opinion, the repayment of five or six millions was all that the Bank had a right to expect. He did not think that they had a right to demand ten millions. He was bound to say, that the repayment of such a sum did not appear to him necessary; although he was so anxious to remove all pretence or excuse against the execution of the proposed plan at the earliest possible period, that in his opinion it ought to be accorded. But he had an undoubted right to declare, with reference to the interests both of government and of the Bank itself, that the repayment ought not to be sudden. In the reports of the committees of both Houses of parliament, a gradual and not an immediate repayment of those advances was recommended. If done gradually, he was persuaded that no injurious effects whatever would result from it.

There was another point to which he wished to advert, namely, the reduction of the issues of the Bank. He did not believe that any such reduction would be necessary for the purpose of lowering the price of bullion, and enabling the Bank to provide themselves with it for the purpose prescribed in the proposed plan. Even those who differed the most from the committee on the other parts of the subject, agreed that the continuation of the Bank issues at their present amount would be sufficient eventually to bring the exchange in our favour. This fact also deserved consideration, namely, that when their lordships' committee began to sit, bullion was 4*l.* 3*s.* an ounce; at the present moment it was only 4*l.* 0*s.* 6*d.*, and this fall had taken place from natural causes, and without any reduction of Bank issues. On that point, therefore, he experienced no alarm. It formed no part of the proposed system, that the reduction of Bank issues should be sudden. On the contrary, by pursuing the plan recommended in the report, it would be so gradual as to occasion no inconvenience whatever to the trading community. One great object of repaying to the Bank so large a portion of the advances made to government, was to enable them to purchase bullion, for the purpose of supplying the place of the paper gradually withdrawn.

On the subject of the amount of circulating medium necessary in order to carry on the various transactions of the country without difficulty, much difference of opinion naturally existed. It would be found to be the opinion of some of the witnesses examined by the committee, that the commercial world would be always against the resumption of cash payments; as it would diminish the facility with which they at present obtained accommodation. Several individuals had communicated to the committee their opinion of the amount of specie which would be necessary on the resumption of cash payments. Among the rest, a very able evidence had been given by Mr. Alexander Baring, than whose statements and sentiments on the whole of this important subject, he (Lord Liverpool) had never heard any thing more intelligent and comprehensive. From that gentleman's opinion, however, on the amount of specie that would be necessary, under the circumstances which he had just described, he certainly differed materially, but he agreed with him and with others as to the advantages which the existing system had produced during the war. It had enabled the country to make efforts to which its means would otherwise not have been equal. He readily admitted likewise that in peace the same system afforded facilities to commerce which it would not otherwise enjoy. While the Bank of England was not bound to pay its notes in cash while it could regulate its issues merely by the convenience of the public, and by those issues accommodate at discretion mercantile individuals, of sound capital, it would go greater lengths in doing so, than it would venture to do if it were under the necessity of regulating its issues by the price of gold. A facility was, thereby, given to merchants under the existing system, which they would certainly be sorry to lose. He would go a step farther: the existing system appeared, under certain circumstances, to be favourable to the public at large. In the event of any distress, the Bank could go on with its issues, so that those who would otherwise be poor should not be poorer, and that distress might meet with relief. Undoubtedly this must frequently have the effect of mitigating evil, of obviating difficulty, and of diminishing temporary suffering. It must frequently give ease and facility to commercial transactions, and enable individuals engaged in those transactions to surmount obstacles, which in the ordinary state of the circulation would be insuperable. But it was by no means an unmixed good. On the contrary, it was attended with great disadvantages. The consequence of it was too often an encouragement to speculation, to unsound dealings, to the accumulation of fictitious capital; from all of which, in the course of a given number of years, a greater quantity of evil would probably accrue than of real advantage. Even, therefore, on that narrow ground, although no one could deny that the existing system gave occasional and valuable facilities to trade, yet it was manifest that on the long-run it tended to destroy that solid and secure foundation on which the commerce of a great nation ought to rest. To return to a currency of standard value, might be in some degree to limit mercantile transactions, but it would be to place them on a firm and honourable basis. People would know where they were. From the beginning he had been of opinion, that we could never get back to our ancient system of currency, without temporary inconvenience. The only question was, whether it would be wise to adjourn the evil day. Even by the very appointment of the committee to investigate this subject, some temporary inconvenience had been incurred. But if farther proceedings were to be adjourned for a year longer, the same course must be re-commenced, and the present, which would then be a gratuitous inconvenience, must be again submitted to.

There was one point of great importance, and to which he wished the more particularly to call their lordships' attention, because he knew that it was one which had made a greater impression on the minds of some persons than any other circumstance. He meant the comparison of the circulating medium of the present day with the circulating medium of former times. The argument which at the first view was sufficiently captivating, he would endeavour to state in as strong a manner as he was able. It was assumed that the circulating medium at this time was not greater than it was in 1797, antecedent to the bank restriction—and it was asked whether it was possible that the circulation could therefore be excessive or even sufficient. Now he admitted that the whole circulating medium was not greater at present than in the year 1797, or even in the year 1792, before the war; that the revenue had been augmented in the interval from 16 millions to more than 60 millions; that the commerce of the country had tripled or quadrupled; that the agricultural and other transactions may have increased in equal proportions; and yet it was possible that the same amount of circulating medium which existed at the first period might be sufficient at the last, or might even be excessive, though he did not say that it was excessive at the present moment.

The whole fallacy of the argument to which he referred, had arisen from not considering the great difference between a metallic and a paper circulation. Before the war the circulation (assuming it to have been 50 millions) consisted of 30 millions of gold, and about 20 millions of paper. It now consisted (independent of the silver coinage for small payments) of about 50 millions of paper. Previous to the close of the American war there were few country banks. They were confined to the great commercial towns, and to some of the large cities. The country bank system grew up in fact between that period and the commencement of the succeeding war. Until this system had made considerable progress, the transactions throughout the country were in a great measure carried on by small hoards of money. Individuals received their rents in specie, and kept a considerable amount of specie by them to pay their bills as they came in. But by the extension of the banking system, the habit of keeping specie is almost wholly done away. There is now scarcely such a thing as dead capital, except the small proportion which is kept in the respective banks. Besides the power of paper, by its easy conveyance and transmission, enables a small amount of it to perform many times the same operation which an equal quantity of gold or silver can perform.

In addition to these circumstances commercial ingenuity has since devised a variety of means by which the greatest and most complicated transactions may be carried on by the smallest quantity of paper. He would in the first place beg leave to read a note which would be found in the very valuable work of Mr. Colquhoun, which refers to the evidence that was collected on this part of the subject before the bullion committee in 1810. "A refinement in giving velocity to the circulating medium, by uniting many bankers into one, for their private convenience, is practised by about two-thirds of the 71 private bankers of the metropolis, comprising chiefly those who reside in the city. According to the report of the bullion committee, the daily payments made to these bankers (46 in number) amount on an average to 4,700,000*l.* If that sum were to be paid daily by one debtor to his creditor, without the intervention of banking, and in coins, even of gold of one guinea each, the multitude of people that would be required to convey the specie from place to place, would crowd the metropolis from one end to the other, since even more than 4,700,000*l.* would probably be wanted. To make payments in all the variety of sums which would be necessary by the customers of the whole 71 bankers and the Bank of England, it might require five, ten, or perhaps twenty times 4,700,000*l.* daily. As the matter however is contrived, instead of this enormous sum of 4,700,000*l.* in coin, these daily payments, amounting in a year to fourteen hundred and fifty seven millions, are made by means of the comparatively trifling sum of 220,000*l.* daily for 310 days, or sixty eight millions yearly. The merchants agree that their orders on their respective bankers shall not be presented until the end of the day, when these 46 bankers meet and settle and exchange all the drafts and orders on each other, paying the difference in bank notes, which is calculated to amount on an average to 220,000*l.* a day. If about two-thirds of the private bankers in London pay one thousand five hundred millions yearly for a part of their customers, how much must that yearly sum be increased by what the whole of the bankers and the bank of England pay, including the public revenue and loans, the latter exceeding one hundred millions alone? When it is considered also, that the vast and almost incalculable number of payments are all accomplished by means of about twenty millions in bank notes, the velocity of its circulation will appear to be most truly astonishing."

It will be seen, that by the arrangements to which allusion is here made, the sum of 220,000*l.* daily performs the operation of nearly 5,000,000*l.* or 20 times its amount. But he had farther information to lay before the House upon this very important branch of the subject. It appeared by the papers before them that the average circulation of Bank of England notes in the year 1818 was about 27,000,000. He had called for an account of the number of bank notes and bank post bills of each denomination, issued in that year, and he found they amounted, together with those re-issued, to between 25 and 26 millions in number, and that the emission from the Bank of these notes of all descriptions in the course of the year amounted in value to nearly 240,000,000*l.* Of these the 1*l.* notes constitute about 20 millions—the 2*l.* and 5*l.* notes, which had no existence in 1792, about 10 millions more—and the remaining 210,000,000 may be compared with a similar account made up of the circulation in the year 1792. It will perhaps surprise the House when they learn, that of the circulation of the larger notes in the year 1818, the number of 1,000*l.* bank notes alone amount to 112,000, and represent in their issue from the Bank, 112,000,000*l.*; that is, nearly the half in value of the whole of the bank issue in that year. In the year 1792, the number of notes was 819,300, which represented in their issue, nearly 75,000,000*l.* sterling. The number of 1,000*l.* notes was in this year 40,000, representing, according to this calculation, about 40 millions.

But there is another paper, which is drawn up for the purpose of ascertaining the number of days that a bank-note of each denomination remained in circulation, at these respective periods. In the year 1792, the notes of 1,000*l.* remained out, upon an average, 22 days. In the year 1818, only 13 days. In the year 1792, the 10*l.* notes remained out 236 days; in the year 1818, 137 days. In the year 1792, the 300*l.* and 500*l.* notes remained out 24 days; in the year 1818, 14 days. In the year 1792, the 100*l.* notes remained out 84 days; in the year 1818, only 49 days. As he should move for these papers to be laid before the House, he would not trouble them with farther particulars; but to whatever qualifications these calculations may be subject, the House would see, from what he had already said, what an astonishing improvement there was in the means of accelerated circulation in the course of the last 30 years; and how small a comparative proportion of currency might therefore be now necessary, compared with what was formerly required for the same purpose. These principles might be applied still more extensively to the circulation of the country than to that of the metropolis. In the metropolis, the transactions have been, for a century, carried on, in a greater or less degree, by the medium of paper; but in the country, the paper circulation is in a considerable measure a recent creation: and the facilities of using it with economy have been in a course of improvement from year to year.

Upon a subject of this nature, it was obviously impossible to fix any nice proportion; and if he was asked what was the only criterion of a circulation being sufficient or excessive, he must answer, that it could be found only in its value when compared with the precious metals. Whether a paper circulation should continue for small payments, in combination with specie, was a question of expediency; but if it was to continue, its real value could only be ascertained by its convertibility into specie. It was a most singular circumstance, that in one of the most populous and commercial parts of the kingdom, in the county of Lancashire, where enterprise of every kind was carried to a greater extent than in any other district in the island, the greatest part of the circulating medium was carried on by bills of exchange; and when a respectable and intelligent individual, connected with that county, was asked whether any inconvenience resulted from that system, he replied, "None whatever." The tendency of this was to show, how little well founded was any alarm respecting an insufficiency of circulating medium. Whatever temporary inconvenience or distress might arise from any sudden change, he was satisfied that where there was real and substantial wealth in any county or district, that county or district would soon find a circulating medium for itself. He had explained to them what ingenuity had already accomplished in this respect, and he repeated that the same spirit of enterprise and talent which when directed to mechanics had discovered the powers of the steam-engine and the spinning-wheel, and had applied them to the purposes of life, had been found not less successful in devising means for circulating the property of the country in the most expeditious and profitable manner.

There was only one remaining point to which it was necessary for him to advert, and which he should do in very few words. He alluded to the opinions which a noble earl had embodied into the resolutions he had moved respecting the mint regulations. The noble lord would have an opportunity of explaining himself upon this subject, and there were others who would follow him, who would be fully competent to comment on what he might offer on this part of the subject. He would beg leave only to refer those members of the House, who were desirous of being informed upon this part of the question, to the evidence in the Appendix, of Mr. Page and Mr. Fletcher on one side, and to the very able, and, as he thought, satisfactory evidence of Mr. Mushett on the other. He could conscientiously say, that he had felt most anxious to hear and consider every thing that could be offered on this point. He had heard the noble earl over and over again—he entertained no more doubt than he had done at the commencement of the inquiry, and he had the satisfaction of thinking that several noble lords who had doubted, now entirely concurred with him. He could perfectly understand that in countries where gold and silver coins were both of them legal tender to any amount, that if the proper proportion was not observed in the value of the metals, the favoured metal would come in, and the other go out; but in this country, where the Mint was not open to the public for the coinage of silver; where government kept the silver coinage in their own hands; where its amount was so limited as not materially to exceed the necessary demand of the public for it as matter of exchange; where silver was not a legal tender for more than 40*s.* he really could not understand what the mint regulations regarding the silver coinage could have to do with the state of the exchanges or the price of gold—how it could be supposed that 27,000,000*l.* of Bank of England paper, and 23 millions of country bank paper could be the representative of a silver coinage not legal tender beyond 40*s.* and in its total amount not exceeding 4 or 5 millions, was beyond his imagination to conceive. The principle advanced, if true, would apply equally to our copper coinage—it would apply still more strongly to the old silver coinage, which, although depreciated by wear to nearly 30 per cent, was nevertheless legal tender, at least to the amount of 25*l.* and yet never banished the gold from circulation. In fact, when so depreciated, a premium was often given for it, from its small amount in quantity, and from the use of it in small payments.

He had now introduced this important subject to the consideration of the House in all its different bearings. He felt most desirous that the House should concur in the report and recommendation of their committee. They had proposed the plan which was now before the House, from a conviction that it would attain the desired object without material public inconvenience; they were deeply anxious that the country should return to some fixed standard of value; they were anxious to return to the ancient standard of value; they were anxious to return to it with the least practicable delay; they were anxious to return to it with the least possible distress. It was because this plan appeared calculated to obtain the object by certain, but progressive steps, that they had recommended it to the House. It insured an early, though not an immediate commencement, and that at a standard which now existed. The measures which were to follow were all to be taken so gradually, that the operation of the latter parts of the plan might take place almost insensibly, even if the precaution of some contraction in the circulation should be necessary for that purpose. His own pursuasion was, that no such contraction would be necessary; that most, if not all the inconveniences which might arise from the experiment, had been incurred already; and that if parliament would steadily adhere to the course recommended, they would see the ancient standard of the country restored without material distress to any class of his majesty's subjects.

The Earl of *Lauderdale* observed, that if the noble earl who last addressed their lordships felt how difficult a task he had undertaken in explaining his view of the subject, how much more must he feel, who had to argue it in a more extensive manner, and to explain his impressions, founded as they were on principles much more difficult of elucidation. He could assure their lordships of one thing—that if he had failed to form a correct judgment on the subject, it was to be ascribed entirely to the incapacity of the man, for nothing that assiduity could accomplish had been neglected by him in his inquiries. Before he should enter upon the arguments which immediately affected the question, he would say something of the causes of our present difficulties, which the noble earl had treated of very inadequately. When the noble earl said that a fixed standard of value was necessary for this great mercantile country, he only repeated what he (the earl of Lauderdale) and the noble lords around him had been contending for during the last 12 years, and what the noble earl had uniformly contradicted. The noble earl's doctrine had always been, that Bank paper had never depreciated in value. If it had not, why complain now of a variable standard, and urge the necessity of recurring to a fixed standard? The noble earl's opinion was on the records of that house. Did not the noble earl give his support to that act of the legislature, commonly called lord Stanhope's bill, which absolutely denied any depreciation of the Bank paper? Then how reconcile the support of that legislative measure with the present acknowledgment of its being a variable standard? It was not, however, his intention to contend with the noble earl on that point. On the contrary, he congratulated himself, the House, and the country, upon such a convert to sound principles, on a question of such importance. But, having avowed opinions which for 12 years he had been controverting, the noble earl seemed now anxious to force Bank-paper into proper value. It was not, he could assure the noble earl, so easily forced. One of the noble earl's propositions was, that the Bank should give gold at a certain price for their notes. Like all new converts the noble earl was so eager to proclaim his change of opinion, that nothing could satisfy him now, but that parliament should declare the depreciation of Bank paper. The exchanging of Bank notes for gold at 4*l.* 1*s.* per ounce, was a substantial declaration to that effect. It was as much so as if it had been enacted, that the ounce of gold was worth 5*l.* 5*s.* when gold was at that price three years ago. But what was the market price of gold this day? Who in that House could undertake to tell him the market price of gold this day? Was it because 4*l.* 1*s.* was paid in Bank paper for gold, that that was assumed as the market-price? That was a fallacious foundation. Who knew that if gold now bore that proportion to Bank-notes it was likely to continue? He would show that it was morally impossible it should continue. Did not the noble earl recollect the difficulties they had during the examination of the committee as to that particular point? When Mr. Goldsmid, the Bank broker, was asked, what alteration the laying out of 500,000*l.* in the purchase of bullion by the Bank would have on the exchanges? he answered, two per cent. And when that answer was followed up by the question, how such an alteration would affect the price of gold? he replied, from 4*s.* to 4*s.* 6*d.* The fact was, as proved from the evidence, that when they spoke of the price of gold, they spoke of the sum the Bank paid for it, as there was no market, or indeed no demand for it except when its purchases were in operation. It was in October last at its highest price, but after that no purchase was made by the Bank. If the House looked at the returns, it would find there had been no foreign gold brought into the market. On what grounds then had the noble earl assumed that the price of gold was to continue at an average of 4*l.* 1*s.* per oz.? Their lordships were called upon to fix upon what the price of gold was to be six months hence, when they could not tell what its price was at this moment, and much less what changes might take place in the course of six months. He did not contend that it was not highly desirable to return to the ancient standard. But if the question were, whether the Bank should resume cash-payments two years hence at 3*l.* 17*s.* 6*d.*, or whether the intermediate plan should be adopted, in order to contract the issues of Bank paper, he should prefer the resumption two years hence at 3*l.* 17*s.* 6*d.*, taking other securities respecting the issues of Bank paper. The noble earl had argued, that the Bank by reducing its paper issues would reduce the price of gold; since, by diminishing the quantity of paper, its value, like that of all other commodities, must be increased, and since the increase of the value of paper must reduce the relative value of gold. He was of the same opinion. But the noble earl was so young a disciple in this school that he did not know the symptoms which presented themselves to his observation. The noble earl had said there was no evidence before their lordships respecting an over-issue; but he (the earl of Lauderdale) on the contrary, would prove, that there was distinct evidence in the report on their table that there was no over-issue. In 1813 and 1814, when the depreciation was said to be greatest, silver was in like manner depreciated, so that paper had not varied from the price of gold more than silver had varied from it. Paper and silver retained their relative value unchanged. In the year 1813, he had himself published a statement of the correspondent prices which gold and silver bore to each other, from an average of the prices in those countries where a metallic circulation existed. They were from 15 to 1, to 50 to 1. In 1814, the Bank note resumed its value. Gold fell to 3*l.* 18*s.* 6*d.*, and the state of the exchanges became favourable. From that period there was no proof that paper had resumed its value. After this time, it was true, the Bank accumulated gold; and in the month of March, 1817, the silver coin was issued. Gold coin was then thrown into circulation. The Bank ordered gold coin to be paid, but they could not persuade men to take it. Gold and silver were flowing in from every quarter. The Bank collected more treasure than it had ever had in its possession before. A director had given evidence before the committee, that their treasure was then greater than at any former period, in proportion to its circulation; but he came back next day to correct his evidence, having found that the proportion had been greater at two former periods, but the treasure then in possession of the Bank was the greatest it had had at any time. In January, 1817, when the issues were 27,000,000*l.*, could not the Bank with safety have resumed cash-payments? Their lordships saw that it had more treasure than at any former period; that it had gold flowing in upon it from all quarters; and that it had the general aversion to take gold in its favour: could any man doubt that the Bank of England could then have resumed cash-payments? There were very nearly 2,000,000*l.* more in circulation of Bank-paper at that period than now. In March, 1817, the new silver coinage was put in circulation. Mr. Haldimand, a Bank director, who had not understood this subject, had stated, in his evidence, that the exchanges were ever since unfavourable to us. He (the earl of Lauderdale) derived the greatest confirmation of his doctrine from the exchanges having ever since been unfavourable, and from the price of gold having risen. But what perhaps was more extraordinary, was, that there never was more variation in the issues of Bank paper, than within that interval. It varied from thirty millions to twenty-five, and yet the exchanges continued uniformly against us. With these facts undeniably before the noble earl, how could he conclude that the mere contraction of issues would give the Bank a command over the exchanges? It did strike him, that the reverse of that state of things which existed throughout the year 1816 and the beginning of 1817, was attributable to those regulations of the Mint, by which the silver coinage of the country was depreciated 6½ per cent. Let the House consider the operation of such an influence. Take the amount of Bank of England one-pound notes, at eight millions—that of the country banks at the same amount; that was 16 millions, the correct amount, he believed, of that species of notes in circulation. For these 16 millions, the silver coinage was a legal tender—in other words, one half of the circulating medium of the country was depending for its value on a silver coinage depreciated 6½ per cent—a depreciation bearing almost an exact proportion to the adverse rate of the exchanges. The exchanges had become unfavourable, and gold had risen the very month after the issue of the silver coinage. He therefore affirmed that since the Mint regulations, the exchanges had been nominally unfavourable, when calculated in gold, and yet that the real exchanges had been uniformly favourable when calculated in silver, the only metallic coin in circulation. Mr. Baring acknowledged that it was a singular coincidence, that the issue of the silver, and the unfavourable turn in the exchanges, happened at the same time. He (the earl of Lauderdale) asked him if he thought it possible that the silver coinage should go out of the country; and his answer was, that it was perfectly impossible. In fact, silver bullion had been imported with profit for three years. In confirmation of that fact, they had not only the evidence of Mr. Fletcher and Mr. Page, who stated, that they had received silver in dollars and various other shapes; but they had the evidence of Mr. Goldsmid, the bank broker, that there had been a great influx of silver from South America, from the West Indies, from Gibraltar, and from several other places. There was but one conclusion that could be drawn from these facts—that the exchanges were really favourable to us. The noble earl was therefore incorrect when he argued upon the unfavourable state of the exchanges. They, on his (the earl of Lauderdale's) side of the House, admitted, that they were nominally unfavourable, but contended that they were really favourable since the depreciation of the silver coinage. In the beginning of 1818, the bank paper in circulation was 29,000,000*l.*: gold was then 4*l.* Three months afterwards the quantity of paper in circulation was reduced 3,000,000*l.*: yet the price of gold rose to 4*l.* 3*s.* This was its price in November last. How was that to be accounted for? Here he begged to remark, that what the noble earl had stated as to those improvements and expedients adopted by the London bankers, which diminished the necessity for so large a circulating medium, appeared to him the greatest quackery; and he had heard the noble earl's observations on the subject with the utmost astonishment. The noble earl might have found those improvements in the bank at Amsterdam at an earlier period than he had mentioned. A large quantity of money was paid into Coutts's, for instance, which must be handed over to Baring's, or money is paid into Baring's which must be handed over to Coutts's, or the money remained in the house into which it was paid. If the sum was in one note, or in a few notes, the labour of counting or transferring the money became easier. The improvements alluded to might therefore save labour to clerks, but he could not conceive how they could save any part of the circulating medium. But silver was really our standard of value. He was ready to contend before the 12 judges, that according to the fair construction of the statute, silver was our legal standard. The sum of 6,809,000*l.*, which the Bank had paid in gold for its notes, had been paid at the rate of 3*l.* 17*s.* 10½*d.*; and the labour of collecting the notes for which the money was paid. There was 5 per cent which the Bank always paid for gold in exchange for its notes, and 2 per cent for the labour of collecting them: this accounted for the rise of gold. These were proofs that paper had not been depreciated during the last two years, and that the exchanges were favourable. It would have been impossible to import silver if paper had been depreciated. There was therefore not only no proof of the depreciation, but the proof was the other way. If we had to send 100*l.* of our currency to Paris, it would take 108*l.* to answer the purpose. Taking the exchange of 23·80, a draft from Paris upon London for 100*l.* would make a profit of 4280 grains of silver. This was precisely the depreciation in our silver coinage. If, then, things that were equal to the same thing, were equal to one another, the depreciation of silver and the unfavourable exchanges exactly corresponded. Was not this evidence conclusive as to silver coin being our standard? In January and March, 1817, there had been large issues of paper; yet no banker would receive the gold that had been at the same time issued. No evidence at all appeared to show any depreciation; but all the proofs were on the other side. The issue of the silver coin had at once made the exchanges unfavourable to the extent of the depreciation of the silver, and the paper of course became of the same value as silver. Upon these views it was, that he had drawn up the resolutions which he had laid upon their lordships' table. Those resolutions declared, that the depreciation of silver had occasioned the apparently unfavourable state of the exchanges since its issue, and that the exchanges were really favourable to us. All that he had said proved that the exchanges were, in fact, favourable to this country; and would any man assert that the Bank might not, at this moment, resume cash payments? He would venture to prophecy, that if it did, there would not be a demand for a single guinea. The noble earl, no doubt, had had many conversations with individuals who had stated their objections to the resumption of cash payments: he (lord Lauderdale) had also had his interviews, and he found that a difference of opinion prevailed: he had shown his resolutions to some gentlemen, and had told them what he now told the House, that he thought the resumption of cash payments could not be too early; and that it was advisable to revert to the antient standard of value as soon as possible. He had now advanced to the most important branch of the subject: the discovery which had been made, and which the noble earl considered so valuable. That would of course depend upon its results. It was introduced as a plan by which payments in specie could be returned to with greater facility than by any other mode. He, on the contrary, felt a strong persuasion, that the great grievance threatening the country at this moment was, lest that plan, coupled with the existing Mint regulations, should be carried into effect. In the first place, it was said, that it would provide the country with a cheap circulating medium; that it would prevent great part of the existing capital of the kingdom from going abroad, for the purpose of purchasing what, in fact, was unproductive. He was convinced that this opinion proceeded throughout on a mistaken notion. If a cheap circulating medium were thus obtained, it would operate most unfairly against the traders and manufacturers of the country; the effect of it would be to remove a great part of the existing capital of the country to France, for the purpose of acquiring gold. On the subject of productive capital, Dr. Smith's work contained some absurd ideas: holding all circulating medium to be unproductive capital, he said that if a part of the gold in circulation were sent out of the country, manufactures and materials of greater use were obtained instead. An important distinction ought to be drawn between a gold capital and a fixed capital. It would be highly injurious to export fixed capital to the amount of 15,000,000*l.* How was gold to be obtained? It could only be obtained in one of two ways, according even to Mr. Ricardo: either that the Bank should purchase the manufactures of the country, and undersell at such a rate as to force them upon the markets of the continent, and from thence draw the gold into Great Britain; or the Bank, as indeed it had done partially in 1816, must give a higher price for gold, as 3*l.* 18*s.* 6*d.*; when, in truth, the value was only 3*l.* 15*s.*: in other words, they must give such a price for gold bullion as would induce adventurers to bring it to them. In one of those two ways, and those only, gold could be brought into the country: and to accomplish either of them a new demand must be created for our manufactures, unless their lordships could entertain the notion of Mr. Ricardo, that whether there was an extension or diminution of the demand, was a matter of perfect indifference, because the quantity of manufactures must be always the same. The proposed plan abstracted from the manufacturers a demand to the extent of 15,000,000*l.*; and not only that, but it deprived the country of 15,000,000*l.* of wealth, which brought back gold coin. What, he would ask, must be the situation of the empire, should it be involved in foreign wars? A foreign war never occurred without the necessity of sending gold out of the country. If there were a specie circulation of 30,000,000*l.*, it could be more easily spared than if so small a supply as 4,000,000*l.* only were in the Mint. He granted willingly that the country was rich enough, but it was by the labour of its own hands that it must acquire the means of getting gold: even if a gold mine were discovered in the country, it could not be raised without manual exertion: it could not be obtained from foreign countries without sending abroad some of our labour as an equivalent; and his object was not to deprive the nation of that quantity of wealth and exertion. If this principle were good for nothing; if it were fit that the legislature should interpose to prevent the purchase of gold, he wished to know why the noble earl did not go farther—why was not a sumptuary law passed to prevent the purchase of plate, or the conversion of productive into unproductive capital? He did not know how to make any distinction, or why the noble earl should stop where he had done. Of this he was well satisfied—that there was but one safe plan to be pursued, and that was, to allow things to take their own course; for this reason a sumptuary law had always been deemed impolitic; men must be left to act according to their fortunes, although it might partially discourage the manufactures. He contended, however, that the plan proposed equally discouraged them, while the circulation formerly possessed operated in the contrary direction: if the gold had not disappeared, some of our manufactures would have found their way upon the continent. But he was anxious to examine whether the plan were in itself practicable. It was an experiment quite of a novel nature, and it was impossible to suppose that it would not be attended with singular effects. Gold and silver used as metallic money, had a double use: whichever was adopted as the standard of value, performed a double duty. First, it was the measure of value regulating the price of all commodities; and secondly, it performed a very important duty as an equivalent for ordinary payment. Now, what would be the consequences of this measure? It was well known from the examinations before their lordships committee, that at a former period, when gold rose in value, the directors of the Bank diminished their circulation: the result was, that gold was brought into the country, which filled up the gap to the exact extent which the real demands of the community required. If, however, under the new system, gold came into the country in bars, and the issues of the Bank were diminished, it could not have the same effect of correcting the evil as when gold circulated in the shape of coin. This was an inevitable disadvantage attending the plan. How would the noble earl, or any body else, like to carry about them 30 ounces of gold? What would the dashing tightly-clothed gentlemen about town say to it, especially those who had no pockets? In fact, the plan deprived gold of one necessary duty which as coin it performed. But could the plan ever be brought to bear? and what steps, coupled with the present Mint regulations, must be taken to bring gold into the country, and to put it into any useful shape? He was willing to allow that this might be attained, provided two or three things could be accomplished—first, if the government could get the quantity that was needed; and next if they could limit the silver currency to the amount they wished. It would be said, that the act permitted the seizure of coinage under certain circumstances; but it was unfortunately so worded, that silver to any amount could be brought into the country. Supposing this difficulty overcome, and the foreign importer and the home manufacturer were prevented from interfering, could the government limit the amount of bank-notes? The price of gold which was 4*l.* 5*s.* per oz., must be reduced to 3*l.* 17*s.* 10½*d.* When, however, gold had been reduced to that price, a difficulty would occur if it did not come into circulation, or fill up the place of the bank-notes withdrawn. Under the old system, things would fall into their natural order; but under that proposed, the bars might remain in the Bank so long, that there would be no equivalent for the paper withdrawn, and the only thing the Bank would then have to do, would be to issue paper again, to give the public the convenience of a circulating medium. Now, what was the great objection to a paper system? Neither more nor less than this—that it placed it beyond the wit of man to say, what amount would be required for circulation in the year, or even from day to day. Yet the Bank directors on the one hand, and the government on the other, were to make an attempt which was impracticable, and which the noble earl would soon be compelled to acknowledge was impracticable. The noble earl had said, that he built his hopes on the power of government to limit the silver coinage—upon its power to make a scarcity; but how was any man to estimate the degree of scarcity?—how could he ascertain the quantity? The noble earl knew, that there had been applications from all quarters for silver coinage—that the Mint was delivering at the rate of 35,000*l.* a-week at the present moment. Where, then, was the criterion, and how was the scarcity to be ascertained? The plan might be brought to succeed, but only by making a scarcity of paper greater than would be necessary if payments were to be resumed in gold coin, and by making a scarcity of silver coin. These difficulties induced the petitioners, whose remonstrance he had laid before the House, to contemplate the subject with great dread: for if he understood the plan at all, it was absolutely necessary, for the purpose of obtaining foreign gold, that not only the issue of paper should be greatly reduced, but the silver coinage must also be lessened to a degree of great inconvenience. No man could hesitate one moment upon that sound principle of currency, that men should be left as much as possible to themselves: they ought to be allowed to acquire for themselves what was necessary for their own purposes. If the metals were properly stamped and weighed, with the observation of the principle above stated, it was impossible that the currency could be deranged. With regard to the copper coinage, to which the noble earl had adverted, he (the earl of Lauderdale) had never been more surprised than when he heard it asserted that the copper money of the country had been coined at a seignorage of 72 per cent. He referred to the opinion of the late lord Liverpool upon this subject, and to the contract made with Mr. Bolton for the copper coinage: and contended, that in truth copper money had been thrown upon the public to the extent of 1850 tons, without any seignorage at all; and this the noble lord knew to be the last copper currency brought into circulation in this country; the returns which had been laid upon the table that very day showed, that not one halfpenny had been coined since, excepting what was executed by Mr. Bolton without any seignorage. The noble earl had said a great deal on the analogy between a silver and a copper currency: but he (the earl of Lauderdale) could not discover the resemblance. Was there in truth any similarity? Copper coin had been stated to be legal tender to the extent of one shilling; but as far as his lordship knew any thing of the law, this was not the fact: he had no hesitation in asserting, that it was an error in point of law: twopenny and penny pieces had indeed been made legal tender to the amount of 1*s.* but halfpence were only legal tender to the amount of sixpence. In fact, an instance had come within his own knowledge, where a person had refused, and was supported in that refusal, to accept copper as payment for a debt of 1*s.* He should be glad, then, to know how the noble earl would execute what he proposed. He wished the noble earl not to imagine that he (the earl of Lauderdale) did not consider a copper coinage a great grievance: if evidence were wanting, he could have proved before the committee, by bankers and others, that the copper coinage in some parts of the country had been so abundant, and particularly at Wolverhampton, that the shopkeepers and other tradesmen did not know what to do with it. He had heard, indeed, of a trader at Wolverhampton, who was ready to give copper for any bill at a certain date without requiring any interest. Persons in the country were not, however, those only who had suffered by the accumulation of copper coin, as the brewers and others in town could testify. Several brewers had rooms filled with copper money. These were hardships upon the public; but how, he wished to be informed, could a copper currency effect the banishment of gold, in the same way that silver might accomplish it? At least, if it did, it could only be by a process both operose and complicated. A person having copper, but requiring gold, must first procure sixpences, and having procured 40 sixpences must purchase a note, and having thus obtained a certain quantity of notes, might purchase gold. It was undeniable that 6,000,000*l.* of our gold had very recently been exported to France; and the minister of finance at Paris had admitted that French gold had been issued to about that amount, coined from English sovereigns. Upon this subject, as he had already said so much that it might be considered dry and uninteresting, he would refer the House to a curious proclamation, which would afford some entertainment. When James 1st came out of Scotland to take possession of the crown of England, he issued a proclamation, giving currency in England to the coin of Scotland. This coin being of less intrinsic value than the coin of England, soon drove it out of the market, and rendered it necessary shortly afterwards to issue a new coinage, in order to equalise the value of the coinage of the two countries. Under similar circumstances, the same result would perpetually recur. He maintained, that an alteration in the mint regulations was a preliminary step absolutely requisite to be taken before the Bank could resume payments in cash; and recommended it as an experiment well worthy the consideration of that House and of the whole country. Indeed, he entertained but little doubt, that, if it were tried, it would be attended with the greatest ultimate success. It was his decided opinion, formed upon the proofs which he had submitted to the House, that the proposed resolutions were sporting with the commercial greatness and prosperity of the country. He therefore moved, that after the word "that" in the original resolutions, the resolutions, which he had previously laid upon the table, should be inserted in their stead.

Lord *King* said, that after the very able exposition which they had heard from the noble earl, it was hardly necessary to say any thing in favour of the original resolutions, of which he heartily approved. When he heard, from a certain class of persons, who had petitioned their lordships, those resolutions objected to, as tending to a forced and precipitate reduction of the circulating medium, he could not help considering their objections as proceeding from a wish to prolong, to the utmost time in their power, the duration of the restriction; for, if the country was *ever* to return to payments in specie, he would defy any man to devise a plan more easy, more moderate, or less tending to produce distress, than that contained in the resolutions before the House. The restriction had certainly enabled the Bank to accommodate some classes of the mercantile world; and by producing, through the means of the increase of the quantity of the currency, a rise of prices, had changed the distribution of wealth and the employment of capital. By putting an end to the restriction, an alteration in the employment of capital, and the distribution of wealth must be produced in an opposite direction to that which the depreciation of the currency had produced. That this should take place as gradually as possible, was certainly desirable, though some distress must at all events be produced. When we talked of putting an end to facilities which the restriction afforded, it was to be remembered that those were facilities afforded to some classes at the expense of others. They were afforded to the merchants who were able to procure discounts at the Bank, at the expense of those who could not obtain them, and at the expense of all fixed annuitants, and all creditors on money contracts, by the depreciation of the currency consequent on the increased issues. This process was no addition to, but a diversion of, the wealth of the country; it was robbing one class to afford undue advantage to another. The wealth was taken in part, it was true, from those who did not actively employ it, and given to those who did; but whatever increase to the general riches was thus effected, was at the expence of injustice to those classes whom it was the duty of the legislature to protect. Those accommodations too, at this moment, tended to aggravate an evil under which the commercial world were labouring—the system of over-trading, of increasing shipments to an extravagant amount in one year, while in the next a proportionate diminution of demand below the average, and a proportionate languor ensued.—Under those circumstances, the committee had inquired what was the course to be pursued. On the one hand, if the attempt had been made to cause a speedy resumption of payments in specie, much misery must have ensued. On the other hand, if they had only done what had been so often done before, if they had only fixed a period at which the Bank should resume payments, without taking measures to compel it to make preparations for doing so, those persons must have been exceedingly credulous indeed, who, after the repeated failures of former acts, could have expected any thing but failure again. The Bank had never made the proper preparations at the proper time; they had never so reduced their issues as to bring down gold to the mint price. They would have followed the same course; they would have again come to parliament with a special case, and again obtained a farther time, as they had before. The committee had, on consideration of their circumstances, decided on such a plan as on the one hand extended the period at which the resumption of cash payments was to take place, so far as to diminish the chances of distress; and on the other hand, afforded some security that the Bank should take the proper means of preparation. The noble earl had truly said that by fixing the time when the Bank should be obliged to give bullion at a certain price in exchange for its notes, the evil was thence arrested. Then for the first time the Bank would be obliged to take a metallic standard; then for the first time would the public have a security beyond the discretion of the Bank directors. The numerical amount of Bank notes could be no guidance for the amount of issues. The only rule which could be given for their regulation was to keep gold at the mint price. This was the only check on the vicious practice which 22 years usage had accustomed some to consider as the natural state of the currency of the country. The noble earl who had just sat down had taken a view of the subject peculiar to himself, and had contended that no depreciation existed in the currency, but that the price of gold and the state of the exchanges, were to be attributed entirely to the mint regulations. It appeared to him (lord K.) that those regulations had not that effect. If the two metals were allowed to circulate in the country, one of these two arrangements was of necessity to be adopted. Silver should be made the standard, and gold should pass at an *agio*; or while gold remained the standard, such a seignorage should be taken on the silver coin (which circulated for convenience sake) as would secure it against destruction on the accidental variations of the relative value of the two metals. The deduction of 6½ per cent as a seignorage on the silver coin seemed to him a judicious measure to prevent the trouble of an *agio*. But because the silver coin on which a seignorage was taken, and which was not the standard, remained in circulation, no inference was to be formed that the currency was not depreciated. If, indeed, paper had been issued to such an amount as to depreciate the currency more than 6½ per cent the silver coin also would be driven out of circulation. But the Bank, aware that the country would not have tolerated the destruction of a coinage which had cost half a million, had cautiously kept its issues within bounds, no doubt with that object in view. A question of his to one of the witnesses had produced an answer which confirmed this idea. He regretted, as this had been the effect of the silver coinage, that it had not been issued half a dozen years before the peace, as the means resorted to by the Bank to prevent it from being melted, would have prevented the depreciation of the currency to the amount of 25 per cent and all the consequent misery. The noble earl who had just sat down, had shown that a considerable importation of silver had taken place, which, according to the noble earl, was not possible when the exchanges were really against us. But it was manifest that the noble earl's inference was not correct. In the time of Buonaparté gold was imported at a time when the whole currency was confessedly depreciated; it was imported because there was a demand for it to be re-exported to France to pay for corn when that country would not receive our manufactures. The noble baron concluded by giving a cordial support to the resolutions.

The Earl of *Lauderdale* was surprised that his noble friend should express an opinion, that the parties whose petition he (the earl of Lauderdale) had presented, were desirous of perpetuating the paper currency. If his noble friend had read the words of the petition, he would have seen that they merely stated, that the measure in the contemplation of the secret committee would tend to a forced resumption of cash payments, which would injure alike the manufacture, agriculture, and commerce of the country. He himself had had a conversation with the committee which drew the petition up, and from that conversation he was inclined to think, that they had come honestly forward, without any idea of perpetuating the paper currency. The petition was signed by some of the most respectable citizens of London, and would have been much more numerously signed, had not several individuals refused their signatures from a motive of self interest and fear, not at all unnatural to men in their situation. They were afraid that they should be considered dependent on the Bank, and such an idea would be very detrimental to their credit as merchants. He did not wish to state any thing to their lordships as proof which had not been proved; but he must say, in contradiction to the assertion of his noble friend, who had declared that the Bank directors had contracted their issues to prevent the melting down of the silver coinage, that he had asked Mr. Baring a question upon that point, who had answered, that as he was not a director, he could not tell, but he thought that it might be so. In consequence of this reply, he had asked some of the directors, whether they had ever limited their issues for the purpose which he had just specified, and their reply upon their oaths was, that they never had.

Lord *Redesdale* hoped, that a few observations from him on the present important question, would not be considered as intrusive. He expressed himself totally averse to the prolongation of a paper system, not convertible to a metallic currency, and was decidedly of opinion, that the arrangement pointed out by the committee would produce a salutary effect, if a sufficient quantity of coin was introduced into the country prior to the payment by the Bank. If a sufficient circulation was given to the country, this measure might lead to cash payments. Even although the money received for the taxes were sent to the Bank for the use of the persons applying for cash, the distress in the country would be great. The Bank, it seemed to him, had been at one time in a situation, which would have rendered the resumption of cash payments easy, but that opportunity had not been embraced, for since that period 20 millions of the valuable metals had been sent out of the country. There had been some language made use of relative to the Bank directors which they did not deserve, for they had acted honourably,—and he entertained no jealousy of their conduct, nor had he seen in any part of the report, marks of a jealous disposition towards them, howmuchsoever the feelings of other individuals might be irritated against them. With respect to the silver currency, he had not been able to bring his mind to coincide with the arguments adduced by the noble earl on that subject. The noble earl had stated that the law had its defects, he was aware of these defects and had twenty years ago endeavoured in the other House of Parliament to introduce an act for remedying these grievances. With respect to any danger from an importation of counterfeit coin from other countries—he meant coin of the same metal, but lighter in weight—that might easily be obviated by assimilating the practice which prevailed in weights and measures to coin, and making it seizable on the discovery of its lightness. Altogether to prevent counterfeit coin from being sent from foreign countries into this was impossible, but the quantity would be much reduced by its being rendered liable to confiscation. All false coin must either be sent from foreign countries, or be issued from a Mint here, in either of which case, confiscation would tend much to prevent its circulation.

Lord *Grenville* said, that the noble earl who had opened the debate, had explained the plan which he had proposed to their lordships in so luminous and argumentative a speech, that there was very little occasion for him to add a single word upon the subject. But having considered this restriction as one of the greatest calamities under which this suffering country had laboured; having frequently had occasion to lament and deplore the part which he had himself taken, on its original proposition, in prolonging it for the term of the then existing war; having avowed his error in so doing, as became an honest man, at the commencement of the last war; and having prophesied but too truly all the distress and misery which would befall the nation in consequence of it, he could not help expressing his joy and satisfaction, that the country was at last arrived at that period, in which it could look forward with certainty to the repeal of this injudicious and unfortunate measure. He could not remain silent when a measure was proposed to their lordships, which was almost positively certain of success, but must be allowed to add his voice, weak and humble as it was, to that of those who had spoken so ably and eloquently upon it. The noble earl had said that the Bank had been of the greatest utility to the government during the war, and had advanced many large sums to carry it on with vigour and energy; he did not mean to deny this assertion; but he could not help observing, that it was his opinion that no permanent advantage had been derived from the connexion between the government and the Bank, sufficient to compensate the evils to which it had given birth. He need not tell their lordships his opinion regarding the war which we had waged with France—that must be sufficiently well known to all of them; he need not repeat to them what he had often before stated, that he considered no sacrifice which could be made, too great to bring that war to a successful termination; but he must inform them, that even with those sentiments, he was of opinion that the restriction was an evil of such magnitude, that the sooner it was abolished, the better it would be for the country. He did not believe that any men sincerely wishing the welfare of their country could at any time resort to such a measure, without a sorrowful apprehension of the difficulties and dangers to national and individual interests which must result from it, and with out a conviction that it was for the moment absolutely essential for a particular crisis. Certainly, if the question were, whether any extraordinary exertion might at a particular moment avert an impending danger, to meet such a momentary crisis it might be necessary to resort to a forced circulation; still such forced circulation should not be continued beyond the momentary necessity. For he held it to be a maxim, that there was no difference in principle or effect, between excessive issues forced upon the country at par, by legislative enactment, as soon as they became depreciated; and the more direct system pursued by Austria, Prussia, Russia, and the other continental governments, of at once fixing an arbitrary value upon the national currency. He was inclined to express his sentiments on this subject in the strongest manner, because, hoping as he now did, that an end would at length be put to the restriction, he wished to impress his country with that serious view of the question which, which after long and anxious and laborious deliberation, he was convinced was the true and only aspect which could bear the test of principle. He was disposed to go very far on this point; he would say, that under any circumstances, a restriction on cash payments, or in other words, a forced, and consequently an excessive paper circulation, must be attended with greater evil than good; he would refer to its natural effects, commercial distress, increase of prices, increase of taxes; and he would say, that these circumstances must so cramp and contract all the natural energies of the country, as even in time of war to obstruct the necessary efforts, and thus produce a mischief far overbalancing the advantage accruing from the facility of loans. The war terminated just before the breaking up of the bubble, and it was fortunate, it was providential, that it did: for its continuance, jointly with the continuance of the restriction, would have inflicted such distress on the country as it would have been impossible to bear. If, when no farther exertion was necessary than to wind up the war expenses, it had been found to be not only imprudent, but impracticable to remove the Bank restriction: and when it was necessary to have recourse to those methods of raising money, usual only in war, what would have been the case if the country had been called upon to make fresh and extraordinary efforts for the farther conduct of a war, or rather for existence? It would have been this—that the country would have had to learn, by its absolute destruction, the effects of a measure intended to preserve it existence. He did not expect to live to see the practical results of any of his opinions: but he was anxious to be explicit, that future statesmen, who might propose a similar measure, might at least not be enabled to say, that the opinion of such a measure having once saved the country was unanimous. So far from wishing to be thought a party to such a doctrine, he hoped (if indeed any opinion of so humble an individual as himself could be expected to be remembered, he would not say after his death, but even for the few remaining years of his life)—he hoped that it would be recorded of him, as his decided conviction, that in proportion to the danger under which the country laboured, he would almost say in proportion to the extent of that danger, was the impolicy and desperate madness of such a measure as they were now considering how to rescind. Having providentially emerged with success from the war (for Providence would not suffer such an example of morals and laws as this country afforded to be lost to the world), they had now to deliberate and decide, whether, in time of peace, they would consent to prolong the measure of restriction indefinitely, and place its control in the hands of those who acted on a system by which it was impossible it could ever be terminated. It was with great surprise and pain that he had heard a most intelligent witness (to whom the noble earl had referred) declare, that the suspension act afforded great facilities to industry and commerce, without any countervailing evil. There were others who maintained that the measure was of the greatest service to the commercial world, although it might be injurious and even ruinous to the other interests of the community. With the latter part of this opinion he perfectly agreed; from the former part he must express his most decided dissent. The facilities of commerce returned on commerce with aggravated mischief; and whatever temporary advantages might be furnished to individuals, it rarely happened that those individuals did not ultimately suffer tenfold injury. He would refer to the memorable example of 1816. There was, indeed, nothing new in the progress and effects of a depreciated currency. For a time all seemed brisk, and cheering; the vessel rode along in full sail, and with favouring current, but it never failed to happen that the calm sea became troubled, that the flattering gale swelled into a storm —such a storm as that from which this country had with difficulty saved itself, and from the effects of which it still suffered, and would long continue to suffer. As an illustration of his argument, he woud refer their lordships to the list of bankrupts, from the year 1790 to the present time; and their lordships could not fail to remark the striking coincidence of increased bankruptcies with the system of increased facilities. While the Bank was lending money with one hand, with the other it was shaking the foundations of contracts, affecting all prices, and involving the country in distress, and individuals in ruin, and in a proportion tenfold greater than any advantage that could arise from their liberal issues. He could willingly dwell on this subject, if he were not afraid of detaining their lordships; he could show how the miseries of 1816 followed on the issues of the preceding year; he could show how the excessive issue of country paper which could not maintain itself, like bank paper, by legislative enactment, led to a fearful depreciation, and without any fault of individuals, by the mere force of the system involved the whole kingdom in one general desolation. Not only its trade and commerce, but its agriculture, its landed interest, even classes the most remote from connexion with, or even knowledge of the paper system, found themselves suddenly consigned to total and inexplicable ruin. If their lordships could see at their bar, nor merely the victims of commercial failure, but those numerous persons of all ages, sexes, and classes, who had unconsciously suffered without even understanding how and whence the evil fell upon them, such a spectacle would fill their lordships with horror, and he sincerely believed, that not only no voice would be raised for the maintenance of such a system in commerce, but not even in war. In commerce, as in war, there could be but one sure basis of management, and that was a currency regulated by a standard of metallic value; not that metal was necessary as metal, but because it had the indispensable quality of value: for without value it was impossible to represent value: it was as absurd as it would be to attempt to measure weight by that which had no weight, or to measure length by that which had no extent. On this ground a metallic standard had been adopted in this and in all well regulated countries. On its first introduction, the fineness of the metal being settled, the next thing was to take given weights, and those weights expressed the denominations of value. The original names of the divisions of money, in almost all known languages would be seen to refer to weight. Thus, the shekel among the Hebrews, the talent and mina among the Greeks, the pondo, the sesterce, the as, among the Romans, the livre among the French, the pound, shilling, pennyweights, or pence, among ourselves, all showed their origin by their names. Our pound, under the Saxon monarchy was a pound of silver: the French livre under Charlemagne was a pound of silver; the metallic standard of the two kingdoms being the same. The value of the pound had not been altered in this country since the time of Edward 6th, but in other countries new value had been from time to time affixed to that denomination. In France especially, what was called the pound of silver, was now little more than an 80th part of its original value. Every such instance of reduction was a fraud upon the people; and it was remarkable, in looking back to those periods, when such deteriorations were established, that they were uniformly periods of discontent and turbulence. In the reign of Edward 6th, an attempt to reduce the pound to one-fourth of its value, inflicted misery not to be endured. There was an apprehension of an insurrection throughout the kingdom, and of a total revulsion of the social system; so that the advisers of the measure were compelled to retrace their steps, and bring the currency to that state in which it was at present. Yet even then, from the sudden change, calamity ensued almost equal to that which was apprehended. These were his grounds for asking, whether we ought to go on with a system of variable value, or adopt some plan in order to arrive at the end of a system, which while it continued no one could say he did not hold his property, not indeed at the mercy of a despotic government, but, at the mercy of a body of individuals who, constituted for other purposes, took upon themselves forsooth the guardianship of the interests of the country! He wanted no such guardianship. He wanted a currency established on public faith—on public laws; and for this he should look to the wisdom of parliament. If there were no other objection to the paper system, he would object to it on account of the self-assumption in this body of men of the right of calling themselves guardians of interests, which they would pretend parliament was unable to maintain. The question now was, would parliament perform its own duty; or leave interests so important at the absolute disposal of men, who, however respectable individually, yet as a body not only were not invested with the trust they assumed, but held a trust in its nature totally incompatible with it? His noble friend near him had asserted his opinion of the necessity of a return to a standard of value; and certainly that opinion was not uncalled for on presenting such a petition as his noble friend had that night presented; for when all classes acknowledged that something at least ought to be done towards a return to such a standard; when none ventured to deny that at some period cash payments should be resumed, it behoved those who came forward with such unqualified abuse of the proposed plan, to propose themselves some plan, or to suggest, at least, the propriety of one. The depreciation of paper had been nearly one-third, and the loss to all classes of the community who held it to that amount. Whether or not that depreciation arose from excessive issues, it was impossible, nay, there was no disposition now, in any class, to deny, that paper had been depreciated more than 30 per cent. Against the recurrence of such an evil there was at present no security whatever. Parliament had, by repeated acts, first fixed the termination of the system, then prorogued it, then prorogued it again. Could any man hope that what had not been hitherto done, would now be done decidedly and beyond all doubt? He meant to cast no reflexion on the Bank, but he could only judge how they would execute their trust, by the way in which they had executed it in time past. If their lordships looked at the conduct of the Bank on preceding occasions, there was no expectation to be entertained of a greater probability of the Bank's resuming cash payments at the end of the next two years, than at the term now specified by the act of parliament. The exchanges at one period had righted themselves, and the resumption might have taken place without injury. At that time, the only useful step that the Bank should have taken they did not take. In 1817 the price of gold and paper were at par; what did the Bank do? They increased their issues, and at the same time issued gold. When gold and paper were thus at the same moment poured into the market, there could be no difficulty in accounting for the rise of gold. He did not dispute the sincerity of their intentions, but certainly it was most unfortunate that it did not occur to them, that the issue of gold, without a corresponding deduction of paper, must raise the price of the former article. Even now they did not seem to admit the principle of the bullion report, so wisely and irrefragably established by that great man, the late Mr. Horner—a report, which could not be read without instruction and admiration, for the depth and soundness of its doctrines, and bitter regret for the premature loss of a statesman who was so calculated to serve and adorn his country—a loss which was never more severely felt than at the present moment. If the Bank now allowed the truth of that report, there might be some hope that they would prepare for the resumption of cash payments, by regulating their issues of paper in conformity with the issues of gold. But as they did not acknowledge that principle, whatever might be their talents and integrity, they were the last individuals to whom a discretion should be allowed unaccompanied by such provisions as should secure the object at last, which all wished to be accomplished. As to calculations which had been made respecting the quantity of a circulating medium, he thought they were little to be depended on. He did not think that it depended on capital, commerce, or manufactures. If he could form any judgment, he would say that the same quantity of circulation might, by an increased rapidity, perform twice its ordinary operation. He saw no reason for supposing that even the payment at present of the Bank-note at par would produce any serious evil. The utmost loss would be three per cent. This he did not conceive a serious objection: for at a time when it would have been thought sacrilege that the Bank should ever suspend its payments, there were frequent fluctuations in value to the amount of 5 per cent without any serious evil. Why, then, was this loss of 3 per cent objected as an insuperable difficulty? His opinion, indeed, had been, that cash payments might have been safely resumed at the end of this year. It would neither be just to the plan itself nor to the country, nor would it accelerate sufficiently the discharge of that most important duty which was now imposed upon their lordships, of removing the present pressure, if the plan were not carefully studied and well understood. But at the same time he must say, that the noble earl had stated grounds upon which he could not go along with him. The noble earl's description of the difficulties which they would have to surmount, before the Bank could resume cash payments, was most ridiculously exaggerated. What would they say at law of those, who, being required to resume their payments in cash, should increase instead of reducing their issues in paper? But it was time that this connexion between the government of the country and the Bank of England should be dissolved. It was a duty, of all others, the most imperative upon their lordships. As the matter stood now, the fact was this—that the Bank had not acceded to the propositions of government. They had not pursued the course which was expressly intimated to them. To this there was always a ready answer—"the necessities of government." If, on the other hand, it was asked, what should be done in regard to the Bank's resuming cash payments, they were immediately admonished to "remember the state of affairs between the government and the Bank." Government, and parliament itself, were thus placed in the hard condition of a debtor, who could not assert his own dignity, nor vindicate his own rights. Now, he said that their lordships must destroy this state of things, if they meant to restore order to their finances, and security to the government. It was incompatible with all the principles upon which the Bank was first constituted. It was not merely incompatible, it was in direct contradiction to them. It was in contradiction to all precedent; for the history of all the banks in Europe would prove that those which had fallen, all fell from the same cause, from the same fatal circumstance—dependence upon the government. If their lordships meant to have what they once possessed, an accredited Bank in this country, they must have one established upon the only principle upon which it could exist—a total independence of the government. It was, therefore, upon that ground, much more than from any private wish of his, that he now earnestly pressed the repayment of the advances, as absolutely necessary before the Bank could resume cash payments. It was therefore, also, that he most heartily concurred in the measure, as the first step, advancing, he really hoped, to the ultimate result of dissolving the ominous and dangerous confederacy between the government and the Bank. It was true, indeed, that they might throw difficulties in the way of the resumption of cash payments, by the exertions necessary to be made for the repayment of those very advances. Some provision, therefore, of gradual operation seemed indispensable; and he knew of no other mode that could be adopted, except the present—the one before them; unless it was possible to restrict, by numerical amount, or with reference to the price of gold, the issues of notes by the Bank. Their lordships must be satisfied, by the paper which had been read to them that night, that the numerical amount of such notes was no true nor certain criterion by which those issues could be regulated. Here remained then nothing but to revert to the true principles by which alone government could restore the finances, and by which they must regulate the approaching progress of the Bank towards the resumption of cash payments. They must revert to the legitimate standard of this country, in respect to its currency. It was not the value of that currency, but the value of the metal by which it was regulated, as paper was regulated by the price of bullion. In the bullion report, which hereafter, he did not doubt, would form a standard constant and unerring, in the political economy of this country, and of the great merit of which he was by no means aware till lately, from having had constant occasion to refer to it, their lordships would find this subject clearly treated and defined. They would find that the object of that report was, to restore the currency to its real and legal standard—gold bullion. He dwelt upon these two words, because one of the objections taken to the plan was, that it was a departure from the ancient system of the country; because it had been termed a fanciful scheme; and had been considered as a departure from true and received principles. He repeated, on the authority of those who had most scientifically considered the subject, on the authority of that admirable report, that gold bullion was the true legal and ancient standard of the value of the currency in this country. It was therefore to that only that they must refer their currency. There was no objection to it throughout the country, and all principle was favourable to it. But if any man had determined to give his judgment upon the subject, without having read the reports relating to it, at least let him inquire whether there ever existed any other standard. This had been called a novel experiment. What! Was that a novel experiment which had been always adopted in establishments of this description? What had preserved those establishments, in the midst even of the melancholy desolation occasioned by protracted wars?—a desolation which, among its numerous attending calamities, had involved the Bank of England in the disgrace of paying in a depreciated currency, and the government in the disgrace of recognizing it. It was a plan recommended by men of science, by men who had made these matters the object of great study and deep research. If the objection to it proceeded from such men, he for one should receive it with all the deference which it gratified him on every occasion to pay to talent and to learning. His own experience at least enabled him to say, that greater lights on this important subject had not been derived from those who had practised, than from those who had written upon it; but the present plan was recommended by men who, to profound and intimate acquaintance with the theory of the subject, united the most extensive practical experience. Above all, it came recommended by a name which of all others in Europe would be most likely to recommend any question of political economy. Men, indeed, without science, experience, or information in the details of this extensive matter, and only such, considered and treated this plan as whimsical and impracticable. But let it be remembered who those were who supported it, men of unexceptionable character for knowledge, practice, and sagacity. He saw no objection to it whatever, and with him its greatest recommendation was this—that although it did inevitably prolong, much longer, indeed, than he wished, the period at which the mischief he so much deprecated should terminate, yet, at its very outset, it recognized and recommended the sacred standard of metallic value, which unfortunately had been almost lost sight of, which for the last 20 years we had nearly given up altogether, and which could alone restore its native vigour to our finance. Their lordships would thus have the satisfaction of knowing, that the very first step which they made was on the right principle, and in the right way. He was sorry to have consumed so much of their lordships' time; but the deep interest which he took in this momentous subject, would not permit him to leave the discussion without strongly urging the incalculable advantages of the proposed measure. It was not his wish, or his design, in any thing that he had now said, to reflect on individuals, or on the conduct of the Bank of England. That it had not been regulated by sound policy or wisdom could not be matter of dispute. Confident as he felt that they might have more rapidly resumed cash payments, yet under existing circumstances it was highly probable, that they thought the doing so might have shaken credit, and engendered alarm. It was upon his persuasion, that the reverse would be the result of the plan under their lordships' consideration, that he most heartily declared he gave it his entire, unlimited, and unqualified approbation.

The Marquis of *Lansdowne* felt it to be of importance that this plan should be put forth with all the authority by which it could be given to the public, because he was convinced it would prove a safe and direct means of returning to cash payments. Before he proceeded, however, to state his reasons in support of the plan, he felt it necessary to advert to the objections of his noble friend near him; for, were the opinion of his noble friend well founded, all the expectations promised from the plan must be hollow. Unless the principles which his noble friend contended for, with respect to the coinage, were proved to be incorrect, the proposed plan must be nugatory. His noble friend's objection resolved itself into this question —whether it was better to have only one standard of money or two? The principle on which the coinage of the country at present stood, was that of one standard, which was gold. Silver might consequently go out or return, without in any degree affecting the exchanges. The mere circumstance of silver being a legal tender to the amount of 40*s.* did not affect that result; for no foreign or home merchant, in any money-transaction, would take into consideration that small portion of silver into which he did not expect to convert his bill of exchange, and in fact could not expect to convert it. But he had to contend with his noble friend on various grounds, and under various shapes; for Mr. Mathews, in his "at home," did not assume more characters, or support them more successfully. In his character of "an old merchant," his noble friend complained that those who opposed his doctrine took two different grounds—the limitation of the sum, and the legal tender; but the fact was, that both those circumstances operated to prevent any evil. Nothing could be more dangerous, the continuance of nothing ought more strongly to be deprecated, than that of the state of things which had for some time existed in this country, wherein, as it had been truly stated, no man could call his property his own, and which took from the Crown one of its noblest prerogatives, one which had always been accounted *inter magna coronæ regalia*, and transferred it to a company of merchants. —With regard to the plan itself, it had been opposed by some who thought that the paper circulation had been of the greatest advantage to the country. Were this true, their lordships would be relieved from all difficulty on this subject. But there were two very different paper systems—one in which notes were convertible into cash; and another in which they were not convertible. The former was fraught with the greatest evils, as it was the means of diverting capital from productive to unproductive labour. But it was not merely commercial operations which this system had injured. It had led to serious inconveniences in the measures of government and the legislature. He had hoped that a proposition would have been brought forward for putting an end to the purchase of exchequer bills by the Bank; but he understood that a measure having that object was expected to come from the other House. This practice of making advances by the Bank to the government, made in fact no difference between their notes and paper issued on account of the state, except that the corporation had the benefit of the transaction instead of the public. Adverting to a bill introduced about two years ago, for enabling persons to transfer stock to Ireland, he observed, that had he then been aware of its character, he should have felt it his duty to oppose it. Stock, no doubt, was an article which we were very well able to export; but the bill had the effect of reducing considerably the value of all stock in Ireland, for it increased the debt, without at the same time creating a sinking fund to counteract it, and it also altered the rate of exchange between England and Ireland within a few weeks, to the amount of six and a half per cent. He now noticed this as an apposite illustration of the evils that resulted from the present system, for had the country had the advantage of a metallic currency, no such transfers of property would have taken place. He trusted it was the unanimous wish of their lordships to remedy the system. He gave his warmest support to the plan, as it was calculated to bring about cash payments without any violent change. In voting for the resolutions, he, however, wished to be understood as not binding himself to the principle contained in them, as a permanent system; that would be a subject for future consideration in parliament. He had, however, every hope of its success, in producing the restoration of the ancient metallic standard of the country.

The resolutions proposed by the earl of Lauderdale were then negatived without a division: after which, the original resolutions were put and agreed to.

## HOUSE OF COMMONS.

*Friday, May* 21.

Marriage Act Amendment Bill.] Dr. Phillimore having moved the third reading of this bill,

Mr. *Denman* wished to offer to the hon. and learned gentleman a suggestion that did not proceed from himself alone, but which was the general opinion of a number of hon. and learned friends of his, who all agreed with him in approving of the principle of this bill, but who strongly objected to one part of it. That suggestion was, as to the expediency of omitting the second clause, which dispensed with the necessity of parties giving their residences.

Mr. *Wynn* thought that the suggestion of the hon. and learned member would come more properly after the third reading. The great merit of the present bill was, that it reduced the law of marriage to a certain system, because it did away with those vague and indeterminate provisions of former acts, which were so strongly objectionable. It was aimed also, very effectively, against clandestine marriages, by publication of bans; which publication, under the existing laws, it was almost morally impossible could ever reach the ears of those whom the law intended it should reach.

The bill was then read a third time; after which,

Colonel *Wood* proposed, that the bill should have an *ex post facto* operation, in cases where marriages had been contracted under the ages of twenty-one, and where they had no issue.

Dr. *Phillimore* opposed the clause, on the ground that the House could not pass such a clause on any principle of justice.—

The clause was rejected.

Mr. *C. Tennyson* was anxious to introduce a clause to prevent a marriage between a minor and an adult, from being in any case liable to be annulled at the suit of the adult. It was a most disgusting and revolting fact, that in a great majority of cases, the proceedings were instituted by the husband, who had attained twenty-one at the period of the marriage; and, as the bill stood, the power would still remain to him, until the expiration of six months after his wife's attainment of the age of legal majority. Every principle which induced the House to approve of the bill as it stood, would justify its going the length he suggested; for nothing could be more repugnant to reason, decency, and justice, than the practice he wished to prohibit; unless indeed it were the circumstance, that in a civilized age and country, the law should so long have continued to permit, and thus to sanction it,—a permission and sanction in no respect necessary for securing the genuine object of the marriage act, which was designed mainly for the protection of minors. That act could not have been intended to furnish, as it did, the means of accomplishing the ruin of an innocent and virtuous female, who perhaps, after resisting all the arts of seduction, relied with the unsuspicious ignorance of youth on the validity of a marriage offered to her by a person of full age, while that person having gained the ends of his passion, more effectually than by means which would have incurred the severest inflictions of the law, was enabled with impunity to reap a double advantage from the perjury by which he had obtained the solemnization of the marriage rites. The alteration he suggested would also render the bill more conformable to the law on the subject of marriage in other respects; for a mutual contract or promise of marriage between an adult and a minor, was so far binding on the adult as to subject him to an action for damages, though the minor remained free from such liability. Under the provisions of this bill, the minor would still remain at liberty until a sufficient period had elapsed after the age of legal discretion, but that the adult should also remain so, the shadow of a reason did not occur to his imagination.

Dr. *Phillimore* said, he felt the force and justice of the observations which had fallen from the hon. gentleman, but yet trusted he would not press the amendment he had proposed. A great amelioration, he admitted, it would be; but as the mischief complained of, arose out of the law as it had long stood, and a great deal had already been done by the bill, which, even as now framed, had not passed through the House without much objection; he thought any material extension of its principle might still further endanger it in another place.

Mr. *Davies Gilbert* said, he quite agreed with the hon. gentleman who suggested this amendment, in thinking that the law which gave such an undue advantage to persons of full age, was in a most objectionable state. The bill, however, as it stood, would tend much to diminish the grievances resulting from the marriage act, and he thought it better therefore not to increase the risk which it might yet have to encounter before it finally passed the legislature. On this ground he hoped the hon. member would withdraw his proposition.

Mr. *C. Tennyson* said, he so entirely approved of the bill as far as it went, that though he thought the time which the law had existed formed no apology for it, and though he could not surmise a reason why, in another place, the clause he proposed could appear to render the bill more objectionable, he should be happy to defer to the judgment of the hon. members who wished him to withdraw it.

The amendment was withdrawn accordingly.

On the motion that the bill do pass—

Sir *C. Robinson* said, he could not let the motion be carried without entering his protest against its precipitate introduction, and the principle it proposed to substitute instead of a better one. He thought the means it afforded of instituting and carrying on suits to avoid improper marriage contracts were entirely too limited.

The bill was then passed.

CHARITABLE FOUNDATIONS.] Lord *Castlereagh* rose, pursuant to notice, to move for leave to bring in a bill to amend the act of last session for appointing a commission to inquire into the abuses in Charity Schools. It had been his intention to open the object of the bill to the House at present, but he had been induced to postpone doing so till the second reading. He proposed bringing in the bill, having it printed, and letting it lie over till after the recess. He ought to apologise to the House for having delayed this measure till so late a period in the session. His reason was, that the House might be in possession of the information contained in the reports of the commission, the last of which was lately laid on the table, before calling on them to enact any new measures. The noble lord then moved for leave to bring in a bill, to amend the act of last session, for the appointment of a commission to investigate the application of charitable funds, and to extend the powers of the said act to Charitable Foundations.

Mr. *Brougham* rose to second the motion. He had, in the first place, to thank the noble lord for delaying the introduction of the bill, grounded, as the delay was, on reasons so satisfactory; and next, for adopting the suggestion which had proceeded from himself, of forbearing to open the nature of his bill till the second reading. His motive for seconding the motion was this—because he thought the amendments it proposed exceedingly desirable, as it went first to enlarge the powers of the commissioners, and secondly to extend the objects of the commission; both which objects had been originally well secured in his bill of last session, though afterwards in a great measure given up. The only ground of difference that could arise between him and the noble lord was, that possibly he might think the present bill did not go far enough; but as that would be a proper subject of discussion at the second reading, he should willingly postpone any further observations till that stage.

Leave was given to bring in the bill.

PUBLICANS LICENSES REGULATION BILL.] Mr. Bennet having moved the second reading of this bill, Mr. *Cartwright* said, he was not disposed to give the bill his support, as its operation would, in his opinion, be very injurious to parishes. He hoped the hon. gentleman would consent to withdraw the clause, which imposes on magistrates, in case of their refusal to grant a license, a written ground for that refusal. The House must see that in certain cases it might be necessary to withhold licenses, without its being necessary to call on magistrates to assign in writing their reasons for such refusal. He objected, however to the bill generally, and should move, that it be read a second time "this day six months."

Mr. *Curwen* said, that from his own experience he knew the present licensing system was much abused. He knew several instances wherein licenses had either been withdrawn or refused from political motives, particularly in those places which were the immediate scene of contested elections. He considered the bill of the highest importance, and therefore he hoped his hon. friend, because he might not think all obtained that he wanted, would not therefore oppose the progress of a bill which promised to effect so many advantages.

Mr. *Sturges Bourne* entirely concurred with the opinion expressed by his hon. friend, that the bill, in its present form, was most objectionable. There were many cases in which the reasons for withdrawing or withholding licenses could not be assigned either before a bench of justices or a jury.

Mr. *Davenport* thought a clause rendering it imperative on magistrates to assign the reasons of their conduct to publicans, was throwing a slur on their character.

Mr. *George Lamb* could not agree with the last speaker, in supposing this bill would throw any stigma on magistrates, and he confessed he had never anticipated such an objection. He could not see why the magistrates should refuse to give their reasons, unless indeed they were disposed to say with Falstaff, that they would not give reasons "on compulsion." There was a bill already in existence which called on them for such reasons, namely, the present Insolvent act, which authorised the court here to call for the reasons on which the magistrates acted in the quarter sessions in the country. The magistrates could incur no expences in defending their conduct at the sessions; on the contrary, it was his duty to come forward boldly, and show that there were most satisfactory grounds when he refused a license. If any thing could possibly tend to fix a stigma on that body, or excite a suspicion of their acting from interested motives, it would be the very circumstance of their shrinking from inquiry, and being unwilling to explain their conduct. He implored gentlemen now present, who might happen to be in such situations, not to shrink thus from inquiry, but to accede to the motion.

Mr. *S. Wortley* thought until as strong a case was made out against the country magistrates, as he regretted to say, had been made out against those in the metropolis, he should oppose the bill; although, if applied where it was necessary, he should vote for it. The machinery of the bill was also faulty, and went to entail a very heavy expense upon the county. It provided that after a third conviction for improper conduct, the magistrate should send the case before a jury; but he would ask, who was to pay the expense of the trial? The hon. gentleman would reply, the county; but if this was the case, it would have the effect of materially increasing the county rates, which were already a great burthen, He was satisfied the existing laws had answered the purpose completely, and he should therefore oppose the present measure.

Mr. *Sumner* saw great inconvenience would result from obliging magistrates to give written reasons for their conduct. Counsel, he had no doubt, would be employed to dissect such statements and make them appear improper, while the best motives and purest feelings might have actuated the magistrates. He did not object, however, to going into a committee on the bill, as some of its principles were good, and many of its provisions would be found useful in the metropolis.

General *Gascoyne* thought the provisions of the bill should be applied to the cities of London and Westminster only. It was inequitable in those cases where it would interfere with chartered rights.

Mr. *Davies Gilbert* thought the bill would have a most pernicious effect. The instances of abuse of the discretionary power vested in magistrates by the present law, were extremely few, and those few were amply compensated by the excellent effect of them on the behaviour of publicans, and the morals of those who frequented their houses.

Sir *R. Wilson* said, that under the existing system the will of the magistrate was law—"stat pro ratione voluntas." He hoped, however, the feelings manifested in the House on the clause respecting that class of persons, would induce his hon. friend not to press it, since it might have the effect of causing the bill to be lost, and he should extremely regret if the metropolis were deprived of its advantages.

Mr. *Bathurst* opposed the bill. The examination of magistrates would, in his view, be found very objectionable, while it would tend to expose those persons entrusted with very responsible duties to unnecessary odium.

Mr. Alderman *Wood* hoped, that as the clause respecting magistrates was so much opposed, his hon. friend would not press it. The bill contained so many excellent provisions, that he should be sorry the benefit of it should be lost to London and Westminster.

Mr. *Bennet* said, that no slur was attempted to be cast on the magistrates, much less any intended degradation.—Degradation! Could it be a degradation to the magistrates to have an appeal made from their decisions, when the courts of law constantly appealed from each other's decisions, when every day's practice showed it to be familiar both in and out of that House? In the country places generally he did not think the conduct of the magistrates was other than became English gentlemen. But to the disgrace of lord lieutenants of counties in the neighbourhood of London, far different persons were appointed to the magistracy. The scandalous abuses tolerated by them need not then to be related, for every hon. member, who had taken the trouble to inform himself on the subject, must have long since been satisfied of the disgusting fact. It was perfectly notorious that the magistrates in London had deprived many honest men of their property, while they licensed their own public houses, knowing them at the same time to be converted into brothels of the worst description. There was, beside, no law granting them a discretion to take away a license, although there was a law enabling them to refuse one. The hon. member then cited a case from Burrowe's Reports, confirmatory of his position, in which lord Mansfield had decided that a magistrate who had taken away a license, was guilty of an act for which he should be punished. And although some gentlemen in the House appeared to hold a different opinion, he still could not help relying more on the opinion of an able judge than on the opinions of those who now differed with him. The bill before the House made the detection of improper houses easy; while such was the existing law, that the most improper persons had only, if dispossessed of their houses in one place, to repair to another, when for a few shillings or pounds, they might be sure of obtaining a license. But, every county in the kingdom was nearly as guilty as the metropolis. Whereas, by certain clauses in his bill, such abuses, and such enormities, as had long existed, would, in a great measure, be prevented. Besides, his bill went to do away the forgery of sureties, recognizances, and petitions, which were often signed by paupers, vagrants, and vagabonds of every description, to the great injury of the revenue and fair trader. Indeed, many of the arguments urged against the bill were little more than the *rechauffé* edition of those which he had often heard, and which had no later than a few days since, been personally stated to him. He should not, however, press the clause extending to country magistrates, not because he did not think it in some degree necessary, but because he would not risk its application to the abuses that reigned so widely and injuriously in the metropolis.

The bill was then read a second time.

LORD CHIEF JUSTICE GENERAL (SCOTLAND) BILL.] Mr. Davies Gilbert moved the order of the day for going into a Committee on this bill,

Mr. *Primrose* objected to the principle of the bill, which, by attaching the office of the justice general, as was proposed, to that of the president of the session, would give to a civil judge a criminal jurisdiction. He wished, therefore, that the bill should be altered, and that, at all events, it should not be discussed during the absence of the lord advocate.

Mr. *W. Douglas* said, the bill created new duties, which would occasion great expense to the judge who was to perform them, while there was no provision made to answer it. He did not see the propriety of continuing the office as an effective one, after the demise of the nobleman who at present held it as a sinecure, and at the same time withdrawing the salary.

Mr. *J. P. Grant* concurred with the

two speakers who had preceded him, and requested Mr. D. Gilbert to withdraw his bill.

Mr. *D. Gilbert* professed himself unacquainted with Scotch law. The bill was put into his hands with a request to bring it forward; he had done so; but finding the sense of the House unfavourable to it in its present form, he should ask leave to withdraw it, in order to bring it forward at a future time in a more improved form.

The bill was accordingly withdrawn.

MARQUIS CAMDEN'S TELLERSHIP BILL.] On the order of the day for the second reading of this bill,

Mr. *Bankes* rose and observed, the noble, disinterested, and patriotic manner in which the noble marquis had relinquished the extensive emoluments of this office, was a magnanimous sacrifice to the service of his country, which it was impossible for the House to pass over without some signal mark of its approbation. He had sacrificed, in effect, a much larger sum than the marquis of Buckingham had done in a similar way; for, considering the noble marquis's time of life, and reckoning on the ordinary calculations of longevity, the amount of what lord Camden had thus generously sacrificed could not be less than 100,000*l.* After a very eloquent panegyric of the generous and patriotic conduct of the noble marquis, he said, he thought the least the House could do, was to recognise it by a public vote of approbation and thanks, in which he was confident of the unanimous support of the House. He concluded by moving, "That this House doth acknowledge and highly approve the public spirit and disinterested conduct of the most noble marquis Camden, in making, during his life, this large sacrifice of private fortune to the service of his country, and that it becomes this House to record with due commendation such an instance of distinguished munificence, so honourable to the giver, and so justly intitled to public gratitude."

Mr. *Calcraft* said, that not being present at the former discussion, he now merely rose to express his applause and admiration of the conduct of the marquis of Camden. He was glad that the House would hand down to posterity the expression of their sense of an act so truly noble, and so deserving of imitation.

Mr. *Valentine Blake*, after expressing his opinion of the conduct of the noble marquis, proceeded to suggest, that the House should not stop at merely recording their sense of the disinterested act which he had performed, but should present an address to the Prince Regent, praying that his royal highness would be pleased to bestow some signal mark of favour on the marquis of Camden.

Mr. *Wilberforce* disagreed altogether with the hon. gentleman who spoke last, as to the course he suggested. He thought the act of the noble marquis truly great, and his great and noble reward would be found in the thanks of the House and the applause of his country. There was a noble simplicity in the act, which he would wish to let stand on its own merits. No mark of honour that the throne could bestow could raise the noble marquis higher than his own act had done—an act the more truly patriotic and disinterested, when it was considered that the fortune of the noble marquis, though respectable, was not affluent. It was honourable to the feelings of the House, that this was not taken up as a party question—that it was not guided by any party sentiment—but that the universal voice of parliament, echoing as it did the voice of the country, thus proclaimed its sense of the noble marquis's conduct.

Lord *Castlereagh* said, that as to the conduct of the noble marquis, there was but one feeling; it was a sacrifice as unexampled, as it was disinterested and pure; and though his noble friend did not court public notice, yet nothing, he was convinced, would be more gratifying to his feelings, than the unanimous expression of the approbation of the House. He hoped therefore that the hon. gentleman would not throw any difficulty in the way which the House were inclined to pursue.

The resolution was agreed to *nem. con.*, and the bill was read a second time.

WELCH JUDICATURE.] Mr. *J. F. Campbell* said, he rose, pursuant to notice, to call the attention of the House to the present mode of administering justice in Wales. The hon. member then proceeded to point out the abuses which existed in the present system of administering justice in that country, and pointed out the inexpediency of having a separate jurisdiction, where the whole kingdom was governed by the same laws. He concluded by moving the following resolutions: "1. That to keep up a distinction of judicature between people inhabiting different parts of the realm, conduces of itself to no positive advantage; that the original motives which made the ancient separation of Wales from England, prudent, and even necessary, no longer exist in these days, and that no new political event has occurred to render the continuance of it beneficial. 2. That it is highly expedient that the administration of justice, and the judicial establishments of Wales, should, as nearly as possible, be assimilated to those of England. 3. That it is highly expedient that farther provision should be made, in order to secure the independence of the Welch judges. 4. That it is highly expedient that the Welch judges should not have seats in this House.

Lord *Castlereagh* said, that the committee who had sat on the subject had gone deeply into the question, and he could not but regret that they had not brought in some specific resolution. He objected to the present motion as of too sweeping a nature; and, besides the difficulty attending the introduction of the English system of laws into any country, the twelve judges of England were excluded from the House merely because they constituted part of the other House. Such was, however, not the case with the Welsh judges, and he therefore saw no reason to exclude them from the House. He should move the previous question.

Mr. *Wynn* entered into a detail of the circumstances which took place on the committee, and supported the motion.

Mr. *F. Lewis* contended that the Welsh judges had often been appointed more for parliamentary purposes than for the administration of justice. He supported the motion, as he conceived the system required much amelioration.

Mr. *Bathurst* opposed the motion, as he saw no necessity for such a change; besides, there was no application made for it from Wales.

Mr. *Barham* contended, that the system ought to be revised and amended. He knew a case where a judge was consulted in his private character a few days before judgment, and on his giving judgment a few days after, a Welsh attorney held up a paper, saying, "My lord, here is your opinion given to me on such a day, and it is quite contrary to the one now delivered." He was reprimanded, but still persevered, declaring it was a very odd thing the judge should take his money one day for an opinion, and the king's money for a different opinion the next day.

Colonel *Wood* said, the report of the committee was deserving of the highest consideration, it having been composed of most respectable and enlightened individuals. He thought the House should be extremely cautious in interfering with the administration of justice, and vindicated the character of the professional men in the county he represented. On the whole, he believed the judicature was an essential blessing to the principality, and should be sorry to see it removed.

Mr. *Scarlett* concurred in the object of the resolutions, but recommended his hon. friend to withdraw them, and bring them forward in another shape. A specific measure, founded on the same principles, would, he thought, deserve the approbation of the House.

Mr. Campbell consented, and the resolutions were withdrawn.

## HOUSE OF LORDS.

### *Monday, May 24.*

CHIMNEY SWEEPERS REGULATION BILL.] On the order of the day for the third reading of this bill,

Lord *Auckland* addressed their lordships in support of it. He dwelt on the hardship and cruelty of employing children under ten years of age in the sweeping of chimnies, which this bill went to prevent. Another great hardship was, that of sending children out to do what was called crying the streets for employment; and that was also to be done away. The number of apprentices kept by each master was to be limited to four, in consequence of which, these would meet with better treatment from their masters; and no female children were to be employed in climbing. It was also provided that the summary convictions should take place before two justices. All these provisions had met with the approbation of the principal persons employed in the trade of sweeping chimnies, and also with the approbation of colonel Stephenson, surveyor-general of the board of works, who would give every possible encouragement to the use of machinery. His lordship concluded by expressing his hope that the House would agree to this bill.

The *Lord Chancellor* argued strongly against the bill in its present shape, and, to a certain extent, against its principle. The learned lord referred to several inaccuracies or inconsistencies which still remained in the bill, which rendered it very unfit for the sanction of the House. In the bill as originally sent up, these were more numerous and striking, but still it contained a great deal which he regarded as highly objectionable. With respect to the prohibition against crying the streets, he wished to know what was the legal interpretation of that phrase. Was it intended that chimney sweepers should no longer give notice by the sound of their voice that they were in the streets ready to be employed? If so, the masters would give notice as effectually by knocking at every door, and making a loud noise with their brushes. Another absurdity in the bill was, that of inflicting a penalty for employing "any female girl, or woman." Now, it would be difficult to find a girl or a woman who was not a female. He disapproved of the principle of legislation on which it proceeded: it would be much better to afford the relief which might be deemed necessary, by some general bill, which would extend its enactments also to other trades, which, more or less, might be considered as requiring legislative regulation.

The Marquis of *Lansdowne* denied that there was any absurdity in the wording of the bill. That clause which went to check the inhuman practice of making females clean chimneys, was thus worded:—"Any female child, girl, or woman;" so far it was correct, and it was very proper to put a stop to so shocking a practice. He earnestly hoped that their lordships would not throw out the bill.

The Earl of *Lauderdale* observed, that if machinery were to be employed, boys would still be exposed to as much danger as they were hitherto. He objected to this bill, because it was not fit for the legislature to lay down rules of humanity to individuals; because, by doing so, the very principles of humanity would be rooted up: for greater cruelties would then be practised, than any which the bill went to provide against. It was impossible, without great injustice and public inconvenience, for their lordships to legislate on subjects of this kind. It was somewhat of the same nature with the bill for regulating the labour of children in cotton factories; and with the poor laws. These latter originated in a mistaken spirit of humanity, the attempt to enforce which by law, had produced effects the very opposite of those which were intended; together with all that complicated mass of evil, which was now felt in every part of England. If the legislature attempted to lay down a moral code for the people, there was always a danger that every feeling of benevolence would be extirpated. It was like making a law to regulate the mode in which a painter was to execute his work. The painter might conform to the law, but his taste would be destroyed. For these reasons, he should oppose the bill.

Lord *King* supported the bill, because he understood it met with the concurrence of most of the master chimney-sweepers, and because he thought it would be productive of great benefit.

Lord *Auckland* addressed their lordships, in reply. He said, the bill did no more than adopt practical rules, that had been laid down by persons in the trade, for the better conduct of the trade; and as it tended greatly to promote the principles of humanity, by mitigating the hardships to which children were subject, he hoped their lordships would not object.

The House then divided: Contents, 12; Not-Contents, 32; Majority against the bill, 20. The bill was consequently lost.

## HOUSE OF COMMONS.

*Monday, May 24.*

Marquis Camden.] The Speaker reported the marquis Camden's Answer to his letter concerning the Resolutions of the House of Friday last, as follows:

"*Arlington Street, May 23rd,* 1819.

Sir;—I have the honour to acknowledge the receipt of your letter of the 22nd instant, communicating to me a resolution of the House of Commons, unanimously agreed to on Friday last.

"I trust, Sir, I feel, as becomes me, the high and distinguished honour conferred upon me, by the approbation which the House has been pleased to express, of the conduct I have pursued, in devoting to the exigencies of the state, a part of the emoluments received by me, as one of the tellers of his majesty's exchequer: an office, most graciously conferred upon me by his majesty, in consideration of the public services of my father; and, if I fail in the attempt to express, as I feel, the deep and lasting impression made upon my mind, from having been thought worthy of so marked and honourable a distinction, I trust to the indulgence of the House of Commons, to excuse the very inadequate terms, in which I am enabled to convey the expression of my satisfaction and gratitude.

"The kind and flattering manner in which you, Sir, have been so good, as to express your sentiments upon this occasion, demands my peculiar acknowledgments, and I request you to accept my most sincere and cordial thanks.—I have the honour to be, &c. CAMDEN."

The right hon. the Speaker,
&c. &c. &c.

COTTON WEAVERS OF CARLISLE.] Mr. *Curwen* rose and said:—Mr. Speaker—The duty I am called on to discharge is one of the most painful I had ever imposed on me in the many and eventful years during which I have sat in parliament. I intreat the attention of the noble lord and the House to the statement I have to make on the part of the Cotton Weavers of the city of Carlisle. The petition is signed by upwards of 1,200 persons. It discloses a state of suffering which cannot fail of commanding the pity and commiseration of all within and without the walls. They represent, that on working from 14 to 17 hours a day, and that for six days in the week, their earnings do not amount to more than from five to seven shillings, and that many of them can obtain no work whatever. They state their families to be destitute of necessary food and cloathing, and a prey to misery and disease. Afflicting as is the present moment, the future presents no rational hope of amendment. They blame not their employers,—the depreciated state of the cotton manufacture is the true cause of their sufferings. These industrious, honest, and unfortunate individuals, from their long, patient, and calamitous endurance, are so bent to the earth, so spirit-broken, as to be compelled to petition this House, as a boon, that which bespeaks the extinction of one of the most powerful feelings of the human heart. In despair of obtaining bread at home, they ask you to expatriate them—to convey them to your colonies. In ceasing to be inhabitants of Britain, it will yet be some consolation to promote the interests of the country that gave them birth,—grievous as it must be to sacrifice all ties of kindred and affection, rather than continue to exist on bounty, exhausting the sources of benevolence to preserve a miserable existence.—Such is the heart-rending representation that it is my duty to make, and deeply do I lament to have to bear testimony to its accuracy. What a contrast does this present to the exposition of the noble lord! Where are now his dreams of prosperity? Is this his boasted flourishing state of the nation? In what estimation are all the glories of the war to be held, when purchased at the expense of such extended anguish and misery?—It has unhappily fallen to my lot to be the first to supplicate the House to devise means for expatriating large bodies of the people. Painful and grating as this application must prove to the House, I fear, ere long, it will become but too familiar. The House cannot, I am satisfied, separate without taking into their serious consideration the present situation of the manufacturing population. I move you, Sir, that the petition be brought up and read.

The petition was ordered to lie on the table.

RESTRICTION ON CASH PAYMENTS—PETITION OF THE MERCHANTS OF LONDON IN FAVOUR OF] Sir *Robert Peel* said, that he now stood in a situation which he had never experienced before, although he had sat in that House forty years. The petition which he was about to submit to the House was from a body of men entitled to the very first consideration—a body of men who, in the time of public distress and pecuniary want, were the very first to come forward and relieve the government. He should wish to call to the recollection of some members, who he believed now heard him, whether they did not remember a meeting of the merchants and bankers called in 1797? At that time the Bank restriction act was projected, and could not have passed if that very meeting of the merchants, manufacturers, &c. had not expressed themselves strongly in its favour. He begged the House would pay particular attention to the petition which he how held in his hand. It was one of no common character, but that of a great and important body, all of the first respectability, praying that those resolutions which were intended to be submitted to the House might not be carried into effect. He begged leave to state his opinion, that the petitioners were the best judges of such a measure. He would add also, that although they were intimately connected with all that concerned the welfare of the country, the most experienced men, and the best qualified from their connexion with our manufactures and commerce, yet they had not been examined by the committee; he hoped, therefore, that before a measure so destructive of the commercial interests of the country was passed (and when he said that, hon. members would conclude every other interest to be combined with those, and to go along with them), the House would pause awhile, in order to collect that information which they so particularly wanted. In looking at the reports which had been published on the subject, he must say, that the witnesses were not men likely to give any information to government, not men acquainted with the state of the country; the last men who should have been questioned, if government wanted to arrive at the merits of the case. In attending, lately, a meeting in London, he begged it might be understood, that that was the only one he was ever interested in, except the meeting of 1797, and the latter one was considered of consequence enough to have saved the country. If, then, that was a meeting which deserved the attention of the House, he hoped the present one, which originated this petition, would be considered as equally entitled to it. He happened, on that occasion, however, to be in company with some whom he could not deem the best friends of their country; but he should not do justice to two persons who attended there, Messrs. Hunt and Wooler if he did not say, that they behaved in a manner the least disorderly in the world, which he attributed to their new and singular alliance with his majesty's ministers, for they supported the measure in question: they inveighed against any attempt at deferring the period of resuming cash payments. He must confess that the circumstance so new of these men being supporters of the administration, constituted the outline of a very good caricature. To see the noble lord and his hon. friends on the one hand, and Messrs. Hunt and Wooler on the other, united in their attempt to pull down the mighty fabric erected by the immortal Pitt, was at once ludicrous and painful. He would implore the House to pause before any rash step was taken which might forward such an attempt. He really thought the resolutions were of a very extraordinary character. It was true that he should have to oppose a very near and dear relation. But while it was his own sentiment that he had a duty to perform, he respected those who did their's, and who considered them to be paramount. The gentlemen who opposed him at the meeting of which he had spoken, were rather indignant at his mentioning the name of Mr. Pitt. His own impression was certainly a strong one in his favour; he always thought him the first man in the country. All of us had some bias; and he should not quarrel with those who preferred some other name. He well remembered, when that near and dear relation was only a child, he observed to some friends who were standing near him, that the man who discharged his duty to his country in the manner in which Mr. Pitt had, did most to be admired, and was most to be imitated: and he thought at that moment, if his own life and that of his dear relation should be spared, he would one day present him to his country, to follow in the same path. It was very natural that such should be his wishes, although those who did their duty might at once be contented with their conduct. He was well satisfied, that the head and heart of that relation were in their right place; and that though he had deviated a little from the path of propriety in this instance, he would soon be restored to it. He had, entered more largely into the subject than he had intended; any other observations he should reserve to a future opportunity, and conclude by moving that the petition be brought up.

Sir *John Sebright* could not allow some of the hon. baronet's observations to pass unnoticed. One of his charges was, that the committee had not consulted those whom the hon. baronet thought best qualified to judge of the question. He presumed the hon. member could not have read the evidence: if he had, he must have formed a very different estimate of the merit and character of those gentlemen who were examined, to what he (sir J. S.) and he believed the majority of the House had formed. Besides, were manufactures and merchants the only persons so qualified? Did it follow as a matter of course that no others were competent? Then as to what the hon. baronet had said about Messrs. Hunt and Wooler, certainly he (Sir J. S.) was no follower of those gentlemen; but he looked at measures, not men. Now, he understood them to have said this—

that a greater power had been given to the Bank of England, than was ever before given, in a free country, to any private body of men whatever. In that opinion he concurred; and so long as they continued to act in that way, and to support those principles, he, for one, should act with them [a laugh]. Gentlemen might put what construction they chose upon his expressions, but he meant this—that, repeating his resolution of looking at measures, not men, so long as Messrs. Hunt and Wooler continued to uphold such doctrines, he should think as they did. With respect to what the hon. baronet had said about his near relation, he did most heartily concur with him: and if any praise of his could confer one additional offering to the great character of that distinguished individual, he was most disposed to give it now. If ever there was a momeut of his (Mr. Peel's) life, in which he was most unquestionably and most eminently entitled to the gratitude of his country, it was the present one. The hon. baronet closed his speech by warmly applauding the conduct of his majesty's ministers in adopting the proposed measure, particularly at the present time, and by expressing his conviction of the advantages which would result from the measure itself.

Mr. *Grenfell* expressed his unwillingness to let the idea go forth that the petition presented by the hon. baronet was what it purported to be, namely, that of the merchants, bankers, and traders of London, as not one fourth of that body had subscribed to it; nor, in point of fact, was there any reason to believe that any material proportion of that respectable body acquiesced in its views. With respect to the declaration of the hon. baronet, that the witnesses adduced before the committee were not competent to judge upon this question, as it concerned the interests of trade, he concurred with his hon. friend who spoke last, in thinking that the hon. baronet had not read the report of the evidence, where he might have found the names and depositions of able and respectable merchants, Mr. Alexander Baring, together with those of six Directors of the Bank, and of Mr. Took, who was one of the first practical merchants in the empire. Could it then be stated with fairness, that the committee had not examined competent or practical men upon this interesting question?

Mr. *Marryat* admitted that gentlemen of the utmost respectability, connected with trade, had been examined before the committee, but contended, that there was no proposition laid down by any one of those witnesses, which was not contradicted by another; so that like the minor quantities in an algebraic equation, it would be better to strike off the whole of the evidence as immaterial to the question, and that the House should go into the discussion of this important subject without at all referring to that evidence.

The petition was ordered to lie on the table, and to be printed. For a copy of it, see the proceedings of the Lords on Friday last, p. 598.

BANK OF ENGLAND — RESUMPTION OF CASH PAYMENTS.] The order of the day being read for taking into consideration the Reports of the Secret Committee on the Resumption of Cash Payments,

Mr. *Peel* then rose and said, that in this instance he was placed in such a situation as peculiarly to justify his appeal to the House for a patient hearing; for as chairman of the committee appointed to investigate the affairs of the Bank, he was about to perform a great and difficult public duty, in calling its attention to a subject of as much importance as ever occupied the consideration of that House. This subject was indeed of universal interest, comprehending as it did the various concerns of an important corporate body, while it referred to the most minute regulations and the most humble transactions in the country. Important as it was, it involved principles so abstruse in their nature, and rested on details so complex and uninviting, as to be but ill calculated for fixing the minds of a popular assembly. It had likewise been exhausted by the great abilities already applied to it on other occasions and in other places; and, under these circumstances, to add either novelty or attractiveness to the question, would be, on his part, a hopeless undertaking. The committee of which he had the honour to be chairman, had been engaged for a considerable time in examining all the principles and details connected with this abstract and abstruse question; and if in bringing forward the resolutions which that committee thought proper to adopt, he should be betrayed into any erroneous observations, he begged that such error might be regarded as his own. With this delicate question, he felt the impropriety of mixing any reference to party feelings or transactions. He could not, indeed, make any such reference without proving himself an unworthy organ of the committee from which the resolutions emanated. For in that committee there was no appearance whatever of mere party discussion. On the contrary, all the members of it devoted themselves most sedulously and patiently to the subject committed to their investigation, without turning aside to any point likely to interfere with a correct and candid decision; and made the public interest the sole object of their exertions and inquiries. It was after such an investigation that the resolutions which he had to submit to the House were adopted unanimously by the committee, with the exception only of the right hon. gentleman on the opposite side. It was right, however, to observe, that a considerable diversity of opinion had existed as to the principles by which our circulation ought to be permanently governed; and that several of the members of this committee who agreed in the main point, arrived at the same conclusion by different courses of reasoning. This, however, only tended to diminish the anxiety which would perhaps have otherwise pressed upon him, because it would now be understood, that he was delivering merely his own sentiments, and that for whatever errors he might fall into, he was alone responsible. In stating the grounds upon which his opinion was formed, he repeated the expression of his hope that he would be favoured with a patient hearing, which was the more necessary, considering the peculiar dryness of the subject, and that nothing was less calculated to excite a lively attention, or to produce an animated discussion. But his mind was relieved from considerable anxiety in the difficult and laborious task which he was induced to undertake, by the concurrent opinion of the gentlemen with whom he acted in the committee, and the great respectability of the evidence upon which that opinion was founded. He was free to say, that in consequence of that evidence, and the discussions upon it, his opinion with regard to this question had undergone a material change. He was ready to avow, without shame or remorse, that he went into the committee with a very different opinion from that which he at present entertained; for his views of the subject were most materially different when he voted against the resolutions brought forward in 1811, by Mr. Horner, as the chairman of the bullion committee. Having gone into the inquiry, determined to dismiss all former impressions that he might have received, and to obliterate from his memory the vote which he had given some years since, when the same question was discussed, he had resolved to apply to it his undivided and unprejudiced attention, and adopt every inference that authentic information or mature reflection should offer to his mind; and he had no hesitation in stating, that, although he should probably even now vote, if it were again brought before the House, in opposition to the practical measure then recommended, he now with very little modification concurred in the principles laid down in the fourteen first resolutions, submitted to the House by that very able and much lamented individual. He conceived them to represent the true nature and laws of our monetary system. It was without shame or repentance he thus bore testimony to the superior sagacity of one with whose views he agreed on this point, although he differed so much from him on many other great political questions; but that distinguished statesman's opinions on this subject were such as must render his character still more respectable, and his loss more sensibly felt by the community at large. After this preface he had now to proceed to the question with regard to which the House was called upon to decide, namely, whether it was advisable that the Bank should at the earliest possible period resume its payments in cash? After the repeated declarations of parliament, that it was advisable that the Bank should, at the earliest possible period, resume cash payments, he had hoped, that the only points necessary for them them to proceed on that night, would be to fix on the period when the restriction should cease, and to adopt the most feasible mode of carrying their intention into effect. But it was impossible for him to conceal from himself that new and extraordinary opinions had been promulgated, which, if the House were prepared to act on them, must inevitably lead to an indefinite suspension of cash payments. When he recollected, that the necessity of a resumption of cash payments was recognized in the preamble of different acts of parliament—when he knew that no one objection was formerly made to the principle of doing so, he confessed he was not exactly prepared to hear, that a principle the very reverse would be contended for. But, judging from certain publications, by which he feared the public mind was influenced, it did appear, that the return to cash payments was viewed in some quarters with alarm; and he came to this conclusion, that, if weight and authority were given to the principles and sentiments contained in those works, the House must be prepared to legislate for an indefinite suspension. It was therefore, absolutely necessary in the outset, that parliament should make up its mind on this point, whether a metallic standard of value should or should not be resorted to? On this account it was, that, in the second resolution, he had called on the House to affirm the necessity for the adoption of a metallic standard. The House must now make up its mind upon the question whether the old metallic standard should be restored or not, and after an experience of 22 years, it was in his mind impossible that any considerate man should hesitate upon that question, or upon the expediency of returning to the ancient system of fixing upon some standard of value. Upon the necessity of establishing such a standard he could appeal to the opinion of all writers upon political economy, and to the practice of every civilized country as well as to that of our own antecedent to the year 1797. All the witnesses, indeed, examined before the committee, strongly recommended the establishment of this standard, one witness alone excepted (Mr. Smith, a very respectable man), who was an advocate for the indefinite suspension of cash payments. But when this witness was asked, whether the indefinite suspension of cash payments was to exist without any standard of value, he answered, "No—the pound should be the standard." He was required to define what he meant by the pound. His answer was, "I find it difficult to explain it, but every gentleman in England knows it." The committee repeated the question, and Mr. Smith answered, "It is something that has existed without variation in this country for eight hundred years—three hundred years before the introduction of gold." This was, indeed, the only definition he could give. But turning from this attempt at definition, and the theory of Adam Smith, it would be recollected, that Mr. Locke, after elucidating the subject of identity, dispelling all the erroneous views with respect to innate ideas, and endeavouring to penetrate even the properties of eternity, could not, with all his power of reasoning, and subtlety of disquisition, succeed in defining what he meant by an abstract pound. On that point, indeed, this distinguished man was evidently misled himself, and, of course, misled his readers. Sir Isaac Newton, retiring from the sublime studies in which he chiefly passed his life—from the contemplation of the heavenly bodies—from an investigation of the laws by which their motions were guided—entered on the examination of this subject; but that great man came back, at last, to the old, the vulgar doctrine, as it was called by some, that the true standard of value consisted in a definite quantity of gold bullion. Every sound writer on the subject came to the same conclusion, that a certain weight of gold bullion, with an impression on it, denoting it to be of that certain weight, and of a certain fineness, constituted the only true, intelligible, and adequate standard of value; and to that standard the country must return, or the difficulties of our situation would be aggravated as we proceeded. The House would, he hoped, look at our circumstances in 1792, and contrast them with our present condition; for it would be absurd and useless not to look our dangers and difficulties in the face, or to attempt to disguise them from ourselves, while they were known to all foreigners. Every Jewish pedlar in Europe, indeed, was aware of our actual circumstances, and of the means of deriving profit from them. It ought, therefore, to be felt that the difficulties of our situation could not be diminished by our declining to acknowledge their existence, and it was notorious that the restoration of a metallic standard of value was essential to our relief from those difficulties. The issues of the Bank of England were the foundation on which was raised the superstructure of the country banks, and those issues were made either in the purchase of gold, the discount of mercantile bills, or the purchase of government securities. A distinction had been drawn between the issues of the Bank, and the paper issued by foreign governments, and it might be of some importance to examine this distinction. By reference to the accounts it would be seen, that in the year 1815 the advances of the Bank to government amounted to 35,000,000*l.*, and they now amounted to 20,000,000*l.*, the amount of their notes in circulation being about 25,000,000*l.* Now it was well known that these advances were not made on the security of any tax or duties already imposed, but in anticipation of future revenue. No provision was yet made for payment of the exchequer bills which the Bank held in acknowledgment of the debt created by these advances. How, then, could it be said that the issues of the Bank were regulated by the demands and necessities of the mercantile world? How could they distinguish between such advances to government, and a paper circulation directly emanating from it? There was indeed this difference between them—that if the notes were issued immediately from the government, instead of intermediately through them, an interest of 3½ per cent would be saved to the country. But again it was contended, that it was very different from a forced paper circulation, and the validity of this distinction might also deserve a little inquiry. Was it not received in all ordinary payments, and had he who objected to receive it any remedy but to wait till the resumption of cash payments? But it was said the Bank was safe, their affairs were prosperous, the utmost confidence prevailed, their issues were made upon the best security, and the public faith was pledged to them. This was perfectly true, and clearly distinguished the Bank of England from all other establishments of the like nature. But did it follow that, because the Bank was solvent, there could be no over issue of its paper? If solvency alone was a sufficient proof that there was no excess of circulation, the theory of Mr. Law was just, and the land, as well as the funds, might be safely converted into a circulating medium. There was, in fact, no test of excess or deficiency, but a comparison with the price of gold. This was not indicated by theory alone; the last few years had afforded abundant experience to support and confirm it. The circumstances which had taken place since the year 1816, were such as must fill every man who carefully considered them with a desire to put an end to the present system. In the year 1815, our commerce was in full activity, a great impulse had been given, speculation was at its height, and the exports were great beyond example. But in 1816 and 1817 came the natural result of these overstrained hopes and exertions. A langour proportionate to the degree of excitation succeeded. An immense accumulation of property had taken place, for which there was no demand. Prices fell, the country banks stopped their issues, and thousands were in a moment stricken to the ground by a blow which they could not foresee, and against which it was impossible to provide. The amount of Bank of England notes in circulation previous to 1814, was about 23,000,000*l.*; in 1815, it was about 25,000,000*l.*; in 1816, 26,000,000*l.*; and at the end of 1817, 29,000,000*l.*, together with a large issue of gold. At that period trade revived, and importations were made from all parts of the world. Many were deceived by a nominal profit, which, in truth, resolved itself into an excess of currency, and the same scene of distress and embarrassment was renewed. He might refer for the truth of this melancholy statement to a part of the evidence to which his hon. friend near him could, he apprehended, entertain no objection. He was sorry to find that his hon. friend's attention was not quite so lively as he had reason to expect. The evidence to which he was referring was that of Mr. Gladstone, who stated, that the value of grain and provisions imported at Liverpool, from Ireland, in 1817, was 1,200,000*l.*; and in the last year, 1,950,000*l.* He added, that in the year 1816, 270,000 bales of cotton were imported at the same place; in 1817, 350,000; and in the last year, 457,000. The consequence of this excess above the demand was, a fall in the price of cotton of not less than 40 per cent. The same gentleman declared, that in 1818, there were in Liverpool, goods to the value of 3,000,000*l.* above what were deposited there in the preceding year. All this overtrading was productive of no advantage; but as respected the labouring classes it was attended with incalculable mischief. The unequal and fluctuating demands for labour deranged all the relations of humble life. At one period wages were too high; at another there was no employment. The rapidity with which these changes sometimes followed each other defeated all private arrangements, discouraged the steady accumulation of savings, and frequently overwhelmed the labourer with want and misery. He felt himself bound to speak out boldly and decisively upon the subject; for it was impossible to listen to the descriptions recently given by the hon. members for Coventry and Carlisle, of what the situation of the labouring poor was in many parts of the country, and not suspect that, whatever might appear by the returns from the Custom-house, there was some unsoundness in our present system. It was idle, while such distress existed, to speak of national prosperity. The amount of the poors'-rate alone was indeed sufficient to negative any such statement. That the excess of commercial speculation, which led to such evils, was the consequence of an over issue of paper currency, was a fact not to be disputed. A check upon that issue was the only cure that could be applied, and it must be applied by the establishment of a metallic standard of value; for the issue of paper had not, like the wise provisions of Providence, or the prudent regulations of man, any counteracting principle within itself. It went on as long as the excitation lasted, but was sure in its relapse to scatter distress and ruin. Private bankers, at first anxious to accommodate, no sooner perceived a system of declining credit, than in the eagerness to provide for their own security they refused further aid, and increased the want of confidence. This was one of the defects inherent in the system he was describing, and the question now was, whether that system should be continued, because they were afraid to face the difficulties of abandoning it. But if its continuance should be once sanctioned by the House let it not be imagined, that they ought to measure its future evils by its past. Hitherto there had always been some check — the admonitions of parliament had been respected; but if once a hope should be held out that the suspension might last for an indefinite period, that the amount of the circulating medium was to be left to the discretion of the Bank directors, uncontrolled by any consideration but that of their own profits, it would become impossible to estimate the extent of the mischief that might ensue. The committee had felt the necessity of guarding against so fearful a danger, and of inducing an impression on the public mind that the system would be brought to a termination. They felt that a mere declaration on this subject would be useless, and that mercantile transactions would continue in their present course, instead of being adapted to a return of the ancient standard. It would answer no good purpose to promise a resumption of cash payments, without fixing upon some definite period: for such a promise had been already made no less than five times, and every time had proved delusive. The country then, to be satisfied, must see that a serious resolution existed upon this subject. Some decisive measure must be adopted. The events of the last few days, with respect to the public funds, demonstrated the necessity of decision. Four alternatives had presented themselves for the consideration of the Committee. The first was, to recommend the postponement of the resumption till after July next, accompanied by a legislative declaration with respect to some future definite period. But if they had been content to adopt that proceeding, he would put it to the House, whether they would have appeared to the country to be in earnest. What had appeared since the report of the committee was published, clearly proved they would not. It was necessary for them to "screw their courage to the sticking place," in order to convince the world that they had set seriously about the work. —On five different occasions parliament had declared, that cash payments ought to be resumed as soon as possible; and the public now doubted the sincerity of those declarations. A few nights ago, his right hon. friend, the chancellor of the exchequer, was taunted on account of the resolutions proposed by him in 1811. But in those very resolutions, it was distinctly affirmed, that though it was not then convenient to proceed to cash payments, yet they ought to be resorted to as speedily as possible. Those who voted for the resolutions recognised this principle decidedly. In the years 1814, 1815, and 1816, the resumption of cash payments was regularly postponed—and now, in 1819, it was proposed to continue the restriction in a modified form, until 1821. Hence it was necessary that they should do something more than merely restate their opinion that cash payments ought to be resumed. Another alternative, which he was ready to admit he was at first inclined to favour, was—that the legislature should fix a definite period, and make some declaration of principle that might be an instruction to the Bank. But on consideration it was evident, that this would still leave it to the Bank to act upon that declaration of principle as it should think fit; and if they controverted the principle, as they had done, it was not likely that their observance of the declaration would be very strict. Besides, it would be a division of responsibility most unfair to that body, to give to them a discretion as to a plan which they themselves conceived was neither founded in truth nor sanctioned by experience. The Resolution of the court of directors of the 25th of March, placed this point in a clear light. The committee deemed it necessary to ask the Bank for an answer to the two following questions:—

To what farther period, in the opinion of the Bank, ought the restriction on cash payments to be continued?

Have the Bank any suggestions to offer with respect to any assistance that can be afforded to the Bank, by legislative enactment or otherwise, for facilitating the resumption of cash-payments?

The Bank deliberated upon those questions—and in their answer the following passage was to be found:—

That this court cannot refrain from adverting to an opinion strongly insisted on by some, that the Bank has only to reduce its issues to obtain a favourable turn in the exchanges, and a consequent influx of the precious metals: the court conceives it to be its duty to declare, that it is unable to discover any solid foundation for such a sentiment.

He believed that this was the conscientious feeling of the Bank; and he only mentioned the circumstance to show the impolicy of asking a body to act on a principle which they thought untenable. The third alternative was, to prescribe such a limitation of the issues of Bank notes as would secure the power of the Bank over the foreign exchanges. He, for one, confessed that this always appeared to him to be a very unwise position—and, for this reason, that it depended so much on circumstances, when to say there was an excess or not of circulation. There were occasions when what was called a run on the Bank might be arrested in its injurious effects by an increase of the issues. There were other occasions when such a state of things demanded a curtailment. In the year 1797, when a run was made on the Bank, but when the exchanges were favourable and the price of gold had not risen, it was proved that an extension of issues might perhaps, by restoring confidence, have rendered the original restriction unnecessary; and prevented the evil results of the existing panic. On the other hand, if the run was the effect of unfavourable exchanges and the consequent rise in the price of gold, the alarm must be met by a reduction of the issues. It was, therefore, impossible to prescribe any specific limitation of issues to be brought into operation at any period, how remote soever. The quantity of circulation, which was demanded in a time of confidence, varied so materially from the amount which a period of despondency required, that the House must feel the absolute incapability of fixing on any circumscribed amount. It was impossible to advert to the evidence taken before the committees without being impressed with that conviction. The fourth alternative that remained to the committee was that which had been adopted, and which was disclosed in the resolutions that he had the honour to lay on the table of that House. It proceeded on the principle that the Bank should regulate its issues by the price of gold, the same principle, be it recollected, on which the Bank of England had uniformly acted, previously to the restrictions imposed upon it in 1797. The House would direct its attention to the state of things under which the committee commenced their labours. They found the Bank in the act of paying a certain description of its notes in cash—with the amount of treasure in its possession considerably lowered. Gold, which they were bound to give in payment of their notes at the rate of 3*l.* 17*s.* 10½d. was increased to 4*l.* 1*s.*—The Bank was in advance to government to a considerable amount; which advance could not be immediately repaid, without producing material disadvantages to the trade and manufactures of the country. Under those circumstances, therefore, the Committee conceived it expedient to postpone, to a period more remote than he believed any man when the question was first introduced had at all contemplated, the return to cash payments according to the ancient standard. That period was fixed at four years from the present time. But at the same time that they deemed such a postponement, under existing circumstances, necessary, they felt it also their duty to provide that such measures should in the interval be taken by the Bank, as would secure them from farther disappointment, and convince the public that they were in earnest. It was unnecessary for him to enter particularly into the details of those resolutions—they were in the possession of every member of that House, and had, no doubt been fully considered. As he before stated, those resolutions declared the necessity of the

Bank's conforming its issues to the prices of gold. It was true, that they required of the Bank to be prepared for the payment of its notes at the rate of the Mint price, on the expiration of two years, but under modifications which would render necessary a less amount of treasure to be disbursed by the Bank, than if the restriction were completely removed at that period. The demand for treasure might be considered to consist of what was wanting to the circulation of the country; of what individuals, from motives of caprice or curiosity, might require, or of what speculators might demand with the view of making a profit by the exportation. It was proposed then to secure the Bank for that period from any other description of demand, except that which might be made upon it for the purposes of exportation. Taking for granted that the whole of the proposed plan was fully understood by every gentleman in the House, he should not go more at length into its details, but next proceed to a consideration of the objections that were raised against it. As a part of the plan and preliminary to the resumption of cash payments, the committee recommended that a portion of the advances of the Bank to the government be repaid. That recommendation had been made the source of a general alarm —of an alarm which he could not but consider wholly devoid of any reasonable foundation. It had been said that, if the ten millions which had been advanced by the Bank to government were forthwith repaid, an abstraction to that amount from the circulating medium must be fraught with injury to the trade and manufactures of the country. How such an inference could be formed, or such an apprehension gain ground he was at a loss to understand. It certainly was not in the remotest degree justified by the suggestions of the committee. What they recommended was, a gradual repayment, and not, as had been stated, an immediate and complete discharge of the advances. He must however say, that the amount of those advances required by the Bank to be repaid was much greater than had been expected. He must own he did not think a repayment to that amount necessary, the whole amount necessary in order to enable the Bank to proceed on the new system in 1820. The committee, however, recommended it, because the Bank required it. They wished no obstacle to stand in the way of a resumption of a metallic standard, and agreed in the recommendation, as the Bank insisted upon its necessity. At the time of making their report, therefore, the committee, though not feeling the necessity of a repayment to the amount of ten millions, complied with the demand of the Bank, and recommended as a preliminary, that such a sum should be gradually repaid. On other grounds, he confessed he now felt that it was expedient that a considerable portion of those advances should be repaid. It was impossible to revert to the nature of the communication of the Bank, under date the 20th of May, and which was on the table of that House, without feeling that the moment has arrived, when the nature of the relations existing between the government and the Bank should be changed. Parliament was bound, after such a statement, not to lose a single hour, without recurring to those means which would have the effect of limiting the directors of the Bank to those considerations which originally embraced the sphere of their duties. One paragraph of that communication he begged leave to read.

"Under these impressions the directors of the Bank think it right to observe to his majesty's ministers, that being engaged to pay on demand their notes in statutable coin, at the Mint price of 3*l.* 17*s.* 10½*d.* per ounce, they ought to be the last persons who should object to any measure calculated to effect that end; but as it is incumbent on them to consider the effect of any measure to be adopted, as operating on the general issue of their notes, by which all the private banks are regulated, and of which the whole currency, exclusive of the notes of private bankers, is composed, they feel themselves obliged, by the new situation in which they have been placed by the restriction act of 1797, to bear in mind not less their duties to the establishment over which they preside, than their duties to the community at large, whose interests in a pecuniary and commercial relation have, in a great degree, been confided to their discretion."

In reading that paragraph he preferred no complaint—he disclaimed any imputation against the Bank, but he dwelt upon it, because it contained a melancholy truth, and because it naturally brought home to the feelings of that House the knowledge of the situation in which, from their own proceedings, they were placed. When he reflected on the great object to which, at the æra of the Revolution, the Bank of England was subservient, he could not think of such an institution without feelings of the sincerest acknowledgment. For the directors individually it was impossible for him to entertain any thing but great respect; but they, as a public body, must not be surprised to have their official conduct questioned, and that the House of Commons should at least doubt whether that was the institution, to the discretion of whose directors were or ought to be confided the pecuniary and commercial interests of the British community. Whatever were their opinions, it was now the proper moment to relieve them from the duty of attending to such concerns. The fault was not in the Bank, but in themselves. It was the result of the course that had been followed. That House had too long transferred its powers. On them devolved the duty to attend to the pecuniary and commercial interests of the country. In place, therefore, of casting any blame upon the Bank, let that House re-trace its steps, and by efficient exertions re-assume its duties, and absolve the Bank from so incompatible an obligation. Let it recover the authority which it had so long abdicated. Reverting to the repayment of the ten millions to the Bank, he could not conceive that such an amount of repayment was necessary, unless the Bank persevered in demanding it. But supposing that that repayment were to be made to its fullest extent, what might be considered its probable consequences? Supposing that for the next two years those advances were to be gradually discharged, at the rate of 4 or 500,000*l.* monthly, what could prevent the Bank from meeting its obligations in February, 1820, at the market price of the present day? He meant of the day when the report was made; for it was now somewhat lower. Why should such a gradual repayment lead to the contraction of the issues of the Bank? Might not, of the half million, one half be expended in the purchase of bullion, and the other half in the extension of its issues? He could see no necessity for the Bank being obliged to contract them. He implored the House not to be led away by any clamour that might be excited on that head. Let any man read the evidence in the Appendix to the Report with diligence, and he must be satisfied that no such effects would necessarily follow. He would go farther, and endeavour to show that the result of the resolutions which he should propose would be found consistent with an increase of the issues of the Bank. It was said by those who disapproved of the proposed plan, that the Bank must contract their issues, if compelled to regulate them by the price of gold. If that argument had force, it went farther perhaps than its advocates wished. It was an argument against resuming cash payments at all; for if it could be considered an argument against a regulation by the market price of 4*l.* 1*s.* it was equally an argument against a regulation by the Mint price of 3*l.* 17*s.* 10½*d.* The mere obligation of the Bank to attend to this regulation of their issues when the payment of their notes was to be made in bars or ingots (let them be called by which name the House pleased) made no difference. Let the House remember what the Bank were enabled to do when they were compelled to pay in specie. From 1774 to 1797, they did that, to which now the objection was made—during that period, they conformed their issues to the price of gold; and he challenged any man to produce an instance, during that period, when the price of gold exceeded 3*l.* 17*s.* 6*d.*—Thus, as long as the Bank conformed to the practice of thus regulating their issues, they found no difficulty, and the price of gold never increased. At that period, the holder of Bank notes, say to the amount of 250*l.*, had a right to demand of the Bank five pounds, or sixty ounces of gold bullion, impressed with a stamp. Each pound of gold the Mint was enjoined by its indentures to divide into 44½ guineas. Notwithstanding the prohibitory laws, every body knew gold was sent out of the kingdom whenever there occurred such a variation in its price as to afford a temptation to the capitalist or speculator. It was next said, that the price of gold had varied considerably since the period of the restriction; that it rose from the Mint price to 5*l.* 2*s.*; and that therefore it was a standard, which, from its variation, could not be depended upon. In that argument there was a fallacy. We did not in that period want gold; we had another substitute, and gold, it was to be recollected, was to be considered in relation to that substitute. Let not the House suffer itself to be led away by any calculation to mistake the price for the value. When people talked of gold rising in price, were they prepared to show that it had risen in intrinsic value? Let them not talk of its price in paper, but in any other commodity of a real and fixed value. Did a given quantity of gold at present command any more corn, or any more silver, than it would have done fifty years ago? When he said corn, he of course well knew that that article was subject to the fluctuations of seasons: but, setting apart that consideration, he repeated, that gold did not, within the period alluded to, to show its increased price, command more of any fixed commodity than in former times. So far from that being the case, it positively commanded less than it formerly did—and on this account, because they had found a substitute for gold, and, beyond that, because they had a greater stock of that metal, and, consequently, its value was less than it was fifty years ago. But next it was stated, that its price was raised by taxation. That was disproved by experience, as it had been found that gold was high when taxation was low, and *vice versâ*. When they spoke of 40 or 50 millions of revenue, it was to be recollected, that the pound remained the standard; and that there could be no correspondent variation between the price of gold and the increase of taxation.—There was another objection, which, at first view, appeared extremely plausible. It proceeded on the principle, that a great increase of revenue made a correspondent increase of the circulating medium necessary. That, however plausible, was not a just inference. He would show an instance in our history, where the increase of circulation, compared with the revenue, had varied in an inverse ratio. He would take the two periods of 1792 and 1809. He took the latter year, because it was a time when there was no complaint of a deficiency of circulating medium; indeed it was the year immediately before the appointment of the bullion committee, when there prevailed an opinion, whether right or wrong, it was not then necessary to argue, that there was an excess of it. If then, there was any truth in the argument that the circulating medium should increase with the trade, taxation, and revenue, it should have varied directly in that year. The fact was, however, that it varied inversely. According to the statement of the late lord Liverpool, the amount of gold in this country in the year 1792, was calculated at thirty millions. Taking it however at five millions less, it, with the eleven millions of Bank notes, gave a circulating medium of thirty-six millions. At that period the interest of the debt was nine millions; the number of vessels employed in commercial concerns was 10,000; the official value of the exports was computed at 19 millions. In 1809 the interest of the debt was thirty one millions; our commercial shipping had increased threefold, and the official value of the exports had risen one half. According, then, to the theory of a correspondent increase of the circulating medium with the trade, revenue, and debt, there ought to have been a considerable increase of the circulating medium in 1809 over that of 1792. But the truth was, that this material augmentation in all its branches was provided for by a circulating medium of nineteen millions. Was it not, therefore, demonstratively proved that such a theory was wrong. It might be difficult to conjecture by what means human ingenuity could provide facilities to make a comparative diminution of circulating medium, at one time, answer for three times the quantity of transfers that it could meet under former circumstances. He was indebted to a noble earl for the means of elucidating that part of the argument; he himself had deserved no credit, as the account from which he should read, was obtained on the suggestion of that noble earl. The right hon. gentleman here read several calculations from the paper to which he had alluded, the object of which was to show, what number of days notes of various denominations remained in circulation in the year 1818, compared with the time that notes of the same denomination remained in circulation in 1792. In 1792 the average number of days that the 1,000*l.* note remained in circulation, was 22; in 1818, only 13. In 1792, the 10*l.* note remained 236 days in circulation: and in 1818, only 147 days. In 1792, the total amount of notes of every denomination issued by the Bank was 74,817,000*l.*: and in 1818, 236,084,933*l.* The inference to be drawn from this comparative statement was, that a much less circulation was necessary, and would perform transactions to a greater amount, at one time than at another: and, therefore, that the doctrine against which he was arguing was absurd. Amongst the various propositions which had been advanced on the subject, was one which at first appeared very plausible, and was made by those who admitted the advantage of reverting to a metallic standard of value. The argument they used was, that a variable standard exposed the country to great danger; but at the same time, as we had now been 22 years without a metallic circulation, it would be extremely difficult and hazardous to revert to the ancient system. These persons maintained, that we ought to regulate the value of gold by the market price; and their plan amounted to neither more nor less than this—we ought to extricate ourselves from our present difficulties, by depreciating the precious metals. They proposed that the Bank should regulate the payment of its notes, not by a fixed standard, but by the price of gold whatever it might be. In other words, in place of the ancient system of the country, by which paper was placed on a par with gold, they would reduce gold to a par with paper. That was a proposition which could be viewed in no other light than as a fraud on the public creditor. It was in vain to think that such a course would lessen the difficulties of the question. It was in vain to think that foreign nations could be imposed upon by such a deception, or that in their dealings with us they would not calculate upon the depreciation. The result could only be, after having incurred the imputation of a fraud on the public creditor, that the coin would be debased. It was therefore most desirable to revert to the ancient standard of the realm. He felt himself bound to caution the House against all arguments in support of a course, which though fraudulent, would not accomplish its own objects, while it aggravated present difficulties. Let the House be assured, that every deviation from the ancient practice would, hereafter, on the least appearance of public embarrassment, be quoted as a precedent for a more extended departure from that practice. When future suspensions of cash payments were sought, the advocates of such a course would refer to the conduct of their ancestors—they would panegyrise the principle on which, under similar difficulties, they acted—they would call for the adoption of the same principle; and conclude because the price of gold had still farther rose in its relation to paper, that the principle by analogy ought to be extended. Such would be the inevitable effects of adopting the proposition to which he had adverted. The restoration of the value of our currency, was always a striking political feature in the history of the country. Those who took an interest in disquisitions of that nature, must have recognised the solicitude of our ablest and most distinguished statesmen, to accomplish that salutary object. There were, however, three distinct periods to which he should call the attention of that House—periods to which every man must look with feelings of admiration and delight; when the government, not misled by the arguments of those who would continue the abuse, effected the reformation of the coin from its previous debasement. That reformation was accomplished in the reigns of Edward 1st, queen Elizabeth and William the 3rd, all periods that that House must ever contemplate with pride and satisfaction. They were periods too of great difficulty—of difficulties too that stood in the way of the restoration of the standard of value, much more than any the country had now to contend with; but they were difficulties which the sound determination of these monarchs overcame, and answered the arguments of those who counselled otherwise, by the beneficial results of the conduct they pursued. It was, when engaged in the conquest of Wales, and amidst his efforts to subdue Scotland, that Edward the 1st turned his attention to the reformation of the coin of the realm. The energy with which that monarch followed up his purpose, had been the subject of praise with every historian of those times, as presenting a noble instance of wisdom and public spirit. The next period was that of Elizabeth, under circumstances that almost repelled such an effort. On her accession to the throne, she found the coin had been debased to the extent of nearly 400 per cent., in the reigns of her predecessors, Henry the 8th and Edward the 6th. Where there should have been 11 ounces of silver there were only three. The effect was a great rise of prices, and a considerable commotion throughout the country. In the second year of her reign, and under the advice of her minister Burleigh, she determined to restore the value. There were not wanting persons who counselled her against such an attempt; who reminded her of the delicate nature of such an object—who talked of the distracted state of her dominions—of the rivalry of foreign nations—of Ireland being in a state of approaching rebellion—and Scotland declaring war:—who observed to her that Rome, Spain, and France were declared enemies to her title to the throne; yet still she had the manliness to persevere, and, following the admonition of Burleigh, considered all those difficulties as obligations on her to proceed. "So far," said that able minister, "should such considerations be from deterring your majesty from the pursuit, that they constitute the motives for perseverance, as in the end they must raise and establish the character of the country, increase the attachment of your majesty's subjects, and command the respect even of your enemies." Such a conduct was the proudest eulogium on her merits. In the learned and able work by the late lord Liverpool, it was observed, that it had been justly commemorated in the monumental inscription on her tomb. That monumental inscription had been so strongly recalled to his mind by a recent perusal of the eminent writer to whom he had just alluded, that he had been induced to review it. After enumerating the queen's various titles to distinction, it concluded thus—"Gallia domata, Belgium sustentum, Pax fundata." But above all, "Moneta in justum valorem reducta." Having ourselves so many claims to praise similar to those which the reign of Elizabeth presented, he trusted we should not deprive ourselves of the applause which was so justly conferred upon her—that "she had the manliness to reform the coin of her kingdom." The glories of the present reign fully equalled her's, except in the last particular; but he hoped the hour was near at hand, when the triumphant parallel would be completed.

It was unnecessary to revert to the numerous difficulties with which king William had to contend, engaged as he was for the existence of the liberties of England and of Europe. Yet when he had to struggle for those great objects, and for the stability of his own throne, in the year 1695, he determined to recover the ancient value of the coinage, considerably debased since the reign of Elizabeth. He did so, though opposed by a powerful party, whose motives proceeded from the spirit of opposition alone. And here he had to contrast the conduct of that day with the spirit of enlightened patriotism so manifest in the labours of those who, however differing on other questions, disdained to introduce party feelings in the investigation of the objects of the late committees of that and the other House of parliament. It was impossible to revert to the manner in which the arguments on which at the Revolution the reformation of the coinage was opposed, without being struck with their coincidence with the arguments of the present time. The House had only to look to the discussion between Mr. Lowndes and Mr. Locke, to see how analagous the objections that were then urged to the measure were, to the objections urged at the present period. It was contended by Mr. Lowndes that the value of silver had increased to 6*s*. 3*d*. an ounce, from 5*s*. 2*d*., which was the rate in the reign of Elizabeth—that the former was a period of barbarism, on which no precedent could be founded—that France, desirous of providing a metallic currency, had made great importations of corn—that it was not the quantity, but the denomination, that gave to the coinage its value, and that a shilling was the real standard of value. It was well observed by Mr. Locke in answer, that to have value, coin must consist of a certain weight, quality, and assay—that the Mint by its indentures were bound to give the due proportions of each. He maintained that the pound weight of silver was the standard of value, and that the coin was depreciated, and not the bullion raised. The present value of silver he affirmed to be as formerly, 5*s*. 2*d*., and therefore not at all altered, except in comparison with a deteriorated currency. Silver in coin was the same in value as silver in bullion. It was perfectly true, he said, that an ounce of silver, which the Mint regulations determined to be only 5*s*. 2*d*. in value, had risen to 6*s*. 3*d*.; but that was only because the silver coin had been clipped or reduced in value, by the difference between 5*s*. 2*d*. and 6*s*. 3*d*, "If," said he, "Mr. Lowndes still doubts of the depreciation, give me 5*s*. of standard weight and fineness, as originally coined, together with 2*d*., and I will with that sum purchase for you an ounce of silver for which you now pay 6*s*. 3*d*." Mr. Locke had no abstract idea of a shilling or of a standard of value, as detached from something substantial and tangible. In reverting to these discussions, he (Mr. Peel) was naturally reminded of another discussion which took place at the same period. He alluded to the difficulties which Martinus Scriblerus was represented to have felt, in the amusing work of that name, in following the metaphysical speculations of his tutor Crambe. Being asked by his father, if he could form an idea of an universal man, he replied, that he conceived him to be a sort of "knight of the shire, or the burgess of a corporation who represented a great number of individuals; but that he could form no other notion of an abstract man. To puzzle him still more, his father enquired, "if he could not form the universal idea of a lord mayor?" To which he replied, "that never having seen but one lord mayor, the idea of that lord mayor always returned to his mind; that he had great difficulty to abstract a lord mayor from his fur gown and gold chain; nay, that unfortunately the only time that he saw a lord mayor, he was on horseback, and that the horse on which he rode not a little disturbed his imagination. "Upon this," said the history, "Crambe (like another Mr. Lowndes, or those who could form an abstract idea of a pound sterling), swore that he could frame a conception of a lord mayor, not only without his horse, gown, and gold chain, but even without stature, feature, colour, hands, head, feet, or body, which he supposed was the abstract idea of a lord mayor." Mr. Locke, unfortunately, was not so penetrating. He could frame no conception of an abstract standard of value, without reference to an existing substance; and was therefore obliged to put up with the vulgar idea, that a pound was a certain quantity of metal of a given weight and fineness. At the time of the new coinage, at the period to which he had just alluded, prejudices in theory, and misconceptions in reasoning, were not only to be encountered, but the greatest financial and political difficulties were to be overcome. When king William proceeded to reform the standard, he had, at the moment when the chancellor of the exchequer (Mr. Montague) was compelled to borrow, under every discouragement, five millions for the wants of the state, to encounter an expense of three millions, which the new coinage would cost. The reasons against calling in the deteriorated currency for the purpose of a re-coinage, were, that at that time a war raged, which required the undivided exertions of the country; that the public resources should not at such a time be wasted on an unnecessary object, or a doubtful experiment; that the expenses incurred would be more than the nation at such a period could bear, and that its discontents might be excited by fresh grievances to acts of rebellion. The enemies of this expedient moreover argued, that should the silver coin be called in, it would be impossible to carry on the war abroad, or to prosecute foreign trade, inasmuch as the merchant could not pay his bills of exchange, nor the soldier receive his subsistence. The main arguments opposed to the project, as well as those which were offered to encourage that monarch in his determination, were so ably stated by the historian, that he begged leave to read them to the House. The arguments used in reply by Mr. Montague, as stated by the historian, were, that the existing system was a disease which increased daily, and would, if not remedied, strike such root as to affect the vital principles of the constitution, and inevitably overthrow it: that the enemies of this country would feel intimidated by the adoption of such a measure, and would be inclined to offer a peace on more honourable terms than could otherwise be expected from them; when they found that this country had the firmness to amend its depreciated currency, even amidst all the dangers with which it was surrounded; and on which they reckoned as a means of effecting its ruin; that they would also hold the wisdom of a parliament, who advised such a measure, in higher estimation than they otherwise could do; and in a word, that their respect for a country which so placed, could surmount so many difficulties, would be greatly increased. Fortunately for the country those arguments prevailed, and in spite of all the obstructions thrown in its way, the coinage of the country was established on a fair and permanent footing. He would ask, if there was any thing in the present state of the country that could be urged against the adoption of such a measure, with more force than the arguments he had just cited had been at the period alluded to? Was there any thing that could be brought forward to induce parliament to postpone any attempt to establish a permanent standard of value in the country? He felt surprised when he heard it urged that this country was indebted for all its glory and all its military honours to an inconvertible paper currency. Was it not in the recollection of the House, that this country had enjoyed its full share of prosperity and of military glory before the year 1797; before we were blessed with an inconvertible paper currency? It was urged that we were differently situated from other countries, with respect to our paper currency. He admitted this; but it must not be forgotten, that there were other circumstances which rendered the situation of this country different from others. The House should recollect, that in all the efforts which she had been called upon to make, England had preserved her faith inviolate. This feeling it was that prevented her from taxing the funded property of foreigners. This upright conduct it was that cheered the country in the hour of danger, and caused her to exult in the hour of victory, from a feeling that her dangers had been surmounted and her victories gained without the slightest violation of her honour. This feeling it was that supported the country in that dark and dismal voyage through which she had gone; and now that they had reached the other shore in safety, let them not abandon the great principle which had been instrumental to their safety; let them not discard the guide by which we were led and protected. Let them adhere to that good faith in time of peace, and towards the public creditor, which they had practised in war, and towards the foreigners whose country was at war with them. Let them recollect, that the fluctuations of price which an inconvertible paper currency occasioned, were injurious to the labourer, who found no compensation in the rise of his wages at one time for the evils inflicted by a depression at another. Every consideration of sound policy, and every obligation of strict justice, should induce them to restore the ancient and permanent standard of value. He had thus discharged his duty in bringing the resolutions recommended by the committee of which he was a member before the House, and he was afraid he had occupied its indulgent attention too long. He was aware that there were various other topics to which he had not adverted, and to which he did not think it necessary to advert. But there were two points which he could not sit down without taking some notice of. The first of these was the effect attributed by a noble lord in another place to the mint regulations in raising the price of gold, and rendering the exchanges unfavourable. To the examination of that opinion he had given the maturest consideration of which his mind was capable; and the result was, that he thought the objections urged against those regulations were without any solid foundation. By the present Mint regulations, a pound of silver was certainly coined into 66, instead of 62 pieces called shillings, and of those pieces, four were withheld by the Mint as a seignorage; but this he conceived was calculated to repress, rather than encourage, a great circulation of silver. Silver was merely a money of convenience for small sums, not coined like gold at the pleasure of individuals who brought it to the Mint, and without loss, but coined by order of the government. Its depreciation therefore could not affect the price of gold, or drive it from circulation. When he recollected that from 1773 to 1797, a more deteriorated silver currency existed, and that that currency was then a legal tender for 25*l.* instead of 40*s.* as now, without at all affecting the price of gold, he thought he might quote experience in support of his argument against the theory of the noble peer. Indeed he was convinced that the disappearance of gold could be fully accounted for in another way, and that the mint regulations had no effect in driving it out of the market. The second point which he understood was to be objected to the present measure was, the proposal of a plan to compel the Bank, intermediately between the present time and the period mentioned in the report, in order to prevent any material fluctuation in the rates of exchange between this and foreign countries to deliver for their notes bullion in quantities not less than 60 ounces, at the market price. He warned the House against the adoption of a measure so fatal—a measure fraught with destruction to the ends to be attained—a plan which would reduce gold to the standard of paper, instead of paper to the standard of gold which would inevitably lead to the interminable continuance, the total adoption of a paper medium, and only multiply *ad infinitum* the difficulties with which the question was at present surrounded.

He had now brought his observations to a close. He felt indebted to the House for the attention with which he had been heard; he had previously entertained opinions different from those he now advanced, but he trusted that he had maintained those opinions as independently and as consistently as he now did those he advanced at present. Many other difficulties presented themselves to him on discussing this question; among them was one which it pained him to observe, and that was the necessity he felt of opposing himself to an authority to which he always had bowed, and he hoped always should bow with deference; but here he had a great public duty imposed upon him, and from that duty he would not shrink, whatever might be his private feelings. In turning his mind to this question, he had attended much to the evidence given before the committee; by that evidence he had been guided in a great degree. He did not mean the evidence of mere theoretical men, but of men of practice, and acquainted with the nature of the commerce of the country, and from that evidence he drew the conclusion, that we ought to return as soon as possible to the ancient and permanent standard of value. From the nature of that evidence, and of the other information he had received, he felt himself called upon to state, candidly and honestly, that he was a convert to the doctrines regarding our currency which he had once opposed.

The first resolution, namely, "That it is expedient to continue the restriction on payments in cash by the Bank of England beyond the time to which it is at present limited by law," was agreed to.

The second resolution, namely, "That it is expedient that a definite period should be fixed for the termination of the restriction on cash payments; and that preparatory measures should be taken, with a view to facilitate and ensure, on the arrival of that period, the payment of the promissory notes of the Bank of England in the legal coin of the realm," was agreed to.

The third resolution, namely, "That in order to give to the Bank a greater control over the issues of their notes than they at present possess, provision ought to be made for the gradual repayment to the Bank of the sum of 10,000,000*l.*; being part of the sum due to the Bank, on account of advances made by them for the public service, and on account of the purchase of exchequer-bills under the authority of acts of the legislature," was agreed to.

Upon the fourth resolution being read, namely, "That it is expedient to provide, by law, that from the 1st of February, 1820, the Bank shall be liable to deliver, on demand, gold of standard fineness, having been assayed and stamped at his majesty's Mint, a quantity of not less than 60 ounces being required in exchange for such an amount of notes of the Bank as shall be equal to the value of the gold so required, at the rate of of 4*l.* 1*s.* per ounce."

Mr. *Ellice* rose to propose an amendment. Though it might appear presumptuous in him to claim the attention of the House, after the very able speech of the right hon. gentleman who had just sat down; yet he could assure them, that he rose with no presumptuous feelings, but he thought it due to himself to state his objections to the proposed resolution. When he did so, he did it from no hostility to the general principles of the report. In those general principles, so ably stated, and so eloquently illustrated by the right hon. gentleman, he entirely concurred; and he had offered himself to the House in opposition to two of the resolutions, not because he differed from their general object, but because he did not agree to the application of them to the actual state of things. He would not weaken the force of the right hon. gentleman's statements or reasonings by repeating them. They would meet with general concurrence. The opposition to them arose from an idea that the application of the principles of the report would be inexpedient at the present time; but it happened unfortunately that those who enforced that inexpediency, specified no time when it would cease, and the return to cash payments be effected with safety. He could mention, from his acquaintance with business, several circumstances which would confirm the able statements of the right hon. gentleman. The difficulties and distress of 1816 were fresh in the recollection of all. Great, however, as those difficulties were, he wished that the remedies applied by the chancellor of the exchequer had been avoided. In consequence of the great exports of 1814 and 1815 gold had been brought into the country. Its price accordingly fell, and continued to fall, till 1817. The distresses of the country gradually disappeared, and every thing began to wear a smiling aspect. To counteract this favourable and improving state of things, towards the middle of 1817 the issues of the Bank became again excessive, produced an artificial prosperity, encouraged speculation, and led to the overtrading which had since produced so much embarrassment, and the consequences of which, he was afraid, we were only yet beginning to feel. The right hon. gentleman had well stated, that the common people derived no benefit from this temporary and artificial prosperity to compensate for the accumulated evils of a change. In 1818, our exports had greatly increased; but he would ask the noble lord who boasted of their amount as a test of our prosperity, or he would ask any of those from whom the noble lord was in the habit of receiving his information on commercial subjects, whether even 50 per cent had been realized on the nominal amount of our exported commodities? The want of returns for them was the cause of the present depression of our trade. If by issuing paper to increase prices, commodities were rendered so dear that foreigners could not buy them, was not a great injury done to the trade of the country? He, therefore, hoped that means would not be resorted to again to raise prices in a similar manner. The consequences of the measures of 1817 were not yet fully felt; we should feel them more and more till our return to the ancient standard of value was completed. Although he agreed in the principles of the report, he would beg to propose an amendment. The three first resolutions met his views; but he differed from the recommendation of the fourth. Although he did not concur in the principle of the chancellor of the exchequer, who in 1811 had procured the passing of a resolution, declaring that Bank-notes had not depreciated, in the face of facts, more glaring than those on which the opposite doctrine was now supported and acknowledged; yet after a period of 20 years practice, he was averse to acknowledge, in a legislative enactment, that we had been acting on a depreciated currency. The permission given to the Bank by the fourth resolution, of paying their notes in gold at the rate of 4*l.* 1*s.* per oz., while the Mint price was 3*l.* 17*s.* 10½*d.* was a virtual acknowledgment of this depreciation. If it was absolutely necessary to attain the object of a return to cash payments, he would even concur in this resolution; but he thought the necessity might be avoided by the amendment he was about to propose. He would first propose, that the government should be compelled at a certain period to commence repaying the Bank the advances specified in the third resolution of the 10,000,000*l.* His reason for this was, that the right hon. the chancellor of the exchequer had already failed in fulfilling his engagements to the Bank. In the last year a payment of 9,000,000*l.* was promised to the Bank by monthly instalments of 1,000,000*l.*; but it appeared that in May only 500,000*l.* or 600,000*l.* were paid; that nothing was paid in June, nothing in July, and that in August, instead of paying, the chancellor of the exchequer applied to borrow money from them at a lower rate of interest. The Bank was, therefore, almost justified by the conduct of government to them. The first resolution he would propose as an amendment, was, leaving out all the words after "that" in the fourth resolution, to substitute the following: "it is expedient to order by law, that the sum of 10,000,000*l.* of the Bank advances to government be repaid, by monthly instalments of 500,000*l.* beginning with the 10th of June, and that no intermission take place till the whole be repaid." A resolution of that nature would tend to allay the ferment caused in the public mind by the agitation of the question; and from what took place in 1816, the House would perceive, that such payment could not have any serious effect in narrowing the issues of the Bank. Having thus explained the nature and object of his first amendment, he would now proceed to state the other resolutions which he proposed as amendments of the right hon. gentleman's resolutions. The next was,—"That, in the opinion of this House, the Bank ought not to advance any money to government on exchequer-bills, or treasury-bills, beyond the present sum advanced by them, or beyond the sum that shall remain due to the Bank after the 10,000,000*l.* are reduced, without the authority of parliament." This resolution would, if agreed to, have the effect of preventing any apprehension that the measures adopted for the purpose of facilitating the resumption of cash-payments must fail on account of the necessities of government. The object of his next resolution was, to put it in the option of the Bank to pay in the legal coin, or in gold, at the Mint price. If the House would agree to this resolution, it would operate in bringing matters to the same point at which the right hon. gentleman wished them to arrive. It was not pretended that it was likely that any great demand would be made for gold. It was the less likely, as these very measures must tend to lower the price of gold. The resolution was, "That the Bank have it in its option to pay, after the 1st of May, 1821, either in legal coin, or in gold, at 3*l.* 17*s.* 10½ per oz." He had one other amendment to propose, which would prove his attachment to the ultimate object aimed at by the resolutions of the right hon. gentleman. Since by the preceding amendments more indulgence was given to the Bank, he thought it but fair that one year should be curtailed from the period proposed for the final and full resumption of cash payments. His amendment was, "That after the 1st of May, 1822, the Bank pay its notes in the legal coin of the realm." With the last resolution moved by the right hon. gentleman no person could find fault, all were agreed as to the expediency of repealing the laws against the melting and exportation of coin. He begged pardon of the House for having occupied so much of their time. He was sure that the amendments he proposed, if agreed to, would prove as effectual as the resolutions of the right hon. gentleman, and at the same time get rid of the inconveniences which incumbered those resolutions. The first of those inconveniences was, the necessity of having a depreciated currency in the mean time, till the Bank could pay at the Mint price; and the other inconvenience was, the want of confidence in the government for giving the aid necessary to the Bank. He would be the last person to attempt the introduction into this debate of what the right hon. gentleman's speech was so perfectly free from, any party feeling. But from the course of conduct adopted by the right hon. chancellor of the exchequer, he felt himself bound to say so much respecting the degree of confidence to be placed in government on this occasion. In what he had offered to the consideration of the House he had been actuated solely by a wish to forward the object so much desired by all who had the welfare of the country at heart, and from a feeling that he was justified from experience in the course he had taken.

The Chairman read the 4th of the original resolutions, and the resolution proposed as an amendment, and put the question.

Mr. *J. P. Grant* said, that he felt at least as much reason to entreat the indulgence of the House as the last speaker. He assured the House, that he would be as short as it was possible for him in explaining the nature of the objections he made to the resolutions proposed by the committee. Feeling himself bound by his duty to the House, by his duty to the country, and by his duty to himself, small as the degree of value might be which the House would attach to any opinion of his, to state his objections to the proposed measure, he begged the indulgent attention of the House while he submitted to their consideration a matter that was in itself extremely important. He fully concurred in the general view so ably taken by the right hon. mover of this question. He was as little able to understand an ideal nominal value, as Mr. Locke, or the other authorities which had been mentioned. The country was now suffering under the consequences of a departure from the established standard of value; and there was not any one who did not see the necessity of returning to the ancient regulations as soon as possible. And here he could not help congratulating the House and the country on the conversion of his majesty's ministers from their former opinions. It was to be lamented that they had not been so converted long ago; but even now he was glad to find them acknowledge that all the principles on which they had acted—all their transactions with the Bank—all their financial plans during the war—were bottomed in error. This they acknowledged by assenting to the resolutions now before the committee. For any previous misconception of the right hon. gentleman on this question, the handsome apology he had made was fully sufficient, and the candid and manly avowal which he made of his error, did him great credit. But it was different with the government—it was their duty to watch over the public interests, and any acknowledgment that they had neglected to do so, could not be received as an apology for their having persevered in a system so ruinous as that which they had pursued. They, the House, and the country, were now aware that the whole system of funding and of borrowing from the Bank was attended with disastrous and ruinous consequences; and if pursued much farther, would be still more so. But upon this view of the subject he would say no more. There was one point on which, though not supported by the report of the committee, he wished to call the attention of parliament—he meant the Mint regulations. On this part of the question he was borne out by many respectable gentlemen who gave evidence before the committee, who were of opinion that while those regulations continued, the Bank could not with safety return to cash payments. The master of the Mint would recollect that his opinions on this question were not new. He appealed to the right hon. gentleman whether, when he had detailed to the House the seignorage on the new silver coin, he had not then stated in reply, that the two metals could not continue current in the country, and that the silver would expel the gold. Since that time he had seen no reason to alter his opinion; on the contrary, all that had since happened, and the reports of the committees, confirmed his opinion, and he was quite persuaded, and would repeat, that it was impossible to resume payment in gold at par, or the Mint price, unless the Mint regulations respecting silver were altered. Some persons were of opinion that gold ought to be depreciated to the value of silver and Bank paper. This was an expedient which he thought was to be avoided at all hazards. But if they meant to have gold issued for any other purpose than for exportation, they must alter the regulations of the Mint. He was aware that, after one had been fully convinced in his own mind of any opinion, he was apt to overlook the objections which could be urged against it. It might be so with him; but he was not insensible, that men of the greatest talents, and capable of applying their minds with the utmost vigour to profound and intricate researches, did not agree with him in opinion. But it seemed quite manifest, that if the Bank was to pay in gold without any alteration in the regulations of the Mint, the gold would be exported as the gold already issued had been exported. It could not have any effect on the currency of the country. And what was there so salutary and necessary in those regulations, that they should be retained against even the conviction of one man, that they were most unwise and injurious? Mr. Locke, Mr. Harris, the late lord Liverpool, all the great men who had examined the subject, agreed that there could be but one standard of value. When two metals were issued, and one was depreciated, the one overrated had always driven the other out of circulation. If any doubt existed on this point, the evidence of Mr. Rothschild, who stated that the gold issued by the Bank had never gone into circulation, but had been immediately exported, might remove the doubt. If gold were exported to France, it was with profit; if silver were imported into this country, it was with profit. From the evidence given before the committee of the Lords, it appeared that at Paris, which was the only market for gold, gold was at 7*s.* 4½*d.* per oz. more than in London. There was consequently a profit to that amount upon every ounce exported to Paris. If you converted paper here into silver coin, and with that silver coin bought gold, which you exported to Paris, you made profit at the rate of 15½ of silver to one of gold. You must, in order to compare the values fairly, convert your money into a metal common to both countries; if you then convert your paper into hardware, that is into silver, bring it to this country, and buy gold at the Mint price, 3*l.* 17*s.* 10½*d.* and you make this profit, gold was superior to silver in the proportion of 1 to 15½.; that was, silver was depreciated below the standard value of gold 1 in 15½.: profit was therefore made of the exportation of gold into Paris, or the importation of silver into London, at the rate of 1 to 15½. What was the relation in consequence of the pound sterling to gold? You had a premium for delivering silver in London, weight for weight, and fineness for fineness: you had a premium for delivering gold in Paris, bought with silver coin in this country. He spoke in the hearing of merchants who understood those matters better than he did, and who must at once perceive the force of his argument, if they did him the honour to attend to him. But without going into calculations, they had here broad facts. There was a premium upon the exportation of gold from London to Paris; there was a premium upon the importation of silver from Paris to London. If all these facts were so, they ought to arrive at this conclusion—that paper was depreciated as compared to gold, not as compared to silver. This conclusion the witnesses before the lords' committee fully established. The evidence of those witnesses was the stronger, and the more free from suspicion, as they doubted the very conclusion which their evidence established. Mr. Baring, whose intelligence on the subject the House would very readily admit, was asked the following question:—" Supposing there had been no Bank paper in circulation, and that our silver coin 6½ per cent depreciated, issued in sufficient abundance, had been the only circulating medium, would not the value of gold have naturally risen, and would not the foreign exchanges become unfavourable?" He answered—"No doubt of it; in that case the silver coin must have been the legal tender of the country, and the standard by which the price of gold and of our foreign exchanges would have been regulated." This was the evidence of a person who thought that the Mint regulations had no effect whatever, although he was astonished at the singular coincidence of the issue of the silver coinage, and the depreciation of paper. In this evidence he had admitted that silver would produce the same effect, but chose to ascribe it rather to the paper, and to say that silver could not produce such an effect, because government retained in their own hands the power of regulating the amount of the issues. Mr. Mushett's evidence in like manner explained the depreciation that had taken place in Bank paper. In the evidence of Mr. Haldiman also, were the following questions and answers:—"Can you state to the committee how much per cent difference in value exists between our old silver coin and our new silver coin, in consequence of the seignorage taken at the Mint by the last Mint regulations? I presume, by the old silver coin, is meant the old silver coin in its perfect state; if so compared with the new silver coin, it would be rather more than six per cent."—"Is not that nearly the present difference between the market and Mint price of gold? I amn ot aware of the last market price of gold; but if between 82*s.* or 83*s.*, the difference would be about five per cent between that and the Mint price."—"Supposing that there existed no paper currency in the country, and that there was no gold in circulation, and farther, that our present silver coin, depreciated six per cent by the seignorage taken out of it, was the only circulating medium, would not the market price of gold, measured by such a currency, stand nearly six per cent above the Mint price? I conceive that it would."—In the evidence of Mr. Harman appeared the following questions and replies:—"Exchanges having become unfavourable in April 1817, and you having stated that from that time you lost all confidence in the permanency of the exchanges, was it ever, in conversation among the directors, attributed to the issue of the new silver coinage which took place in March 1817? We never attributed the unfavourable state of the exchanges to that circumstance."—"Had you among yourselves any conversation concerning the effect of this measure? Frequently; and had our doubts whether the alteration which took place in the coinage of the silver might not have an unfavourable effect on the price of gold."—Mr. Harman was subsequently asked, "If it was proved that gold had uniformly been exported since that period (the issue of the silver coin), and silver uniformly imported with a profit, what effect would that have in your opinion?" To which he answered, "If it was proved that that had taken place to any great amount, I should think differently from what I now do." By the evidence, therefore, of those gentlemen, it appeared to be their opinion, that if circumstances were such as they were known from other evidence to be, the result would then be that which he contended it actually was. If the facts were such as had here been proved, could they avoid ascribing them to their proper cause—the seignorage on silver? If they attended to the period at which the silver had been issued, they would find farther confirmation of this opinion. The rates of exchange and the price of silver varied at the same time. From July 1816, to July 1817, the exchanges were favourable. Gold was at the Mint price, and would be lower if the Bank had not kept up its price. If they had it in evidence that the depreciation took place at the same time that silver coin had been issued, they were bound in fairness to inquire whether it was the paper that had been depreciated or the silver; and the paper had conformed itself to the silver. The concurrence in time so accurately, demanded at least farther investigation. He asked whether there were any other proofs of an over issue of Bank paper but the unfavourable state of the exchanges. The hon. gentleman here referred to a letter of Mr. Harman's, given in to the Lords' committee, stating the amount of paper issues at various periods, and hence inferred that there had been no over issue. The silver coin had been issued in March 1817, and in April (it had been stated July in one part of the evidence, but it ought correctly to be April) the depreciation had taken place. No effect could accompany a cause more accurately. In fact, it was incumbent upon those who supported the opinions of the reports to show, that the depreciation of paper in comparison with gold was caused by the over issue of the former. This had not been done, and he denied that it could be proved. If members looked to those periods when the issues of Bank notes were greatest, they would find that gold was often cheaper, and the exchanges more favourable, than when the circulation was more limited. The hon. member then read from a paper a number of dates within the last few years, and the amount of Bank notes in circulation at each of of them, giving also the price of gold at each particular date.—That paper proved, that when the issues of the Bank were highest, gold was cheaper, and the exchanges more favourable, than when they were very considerably contracted. The evil complained of, then, if owing to increase of issues, could not be said to proceed from excess of issues on the part of the Bank of England; but perhaps it would be said that this excess was from the country banks. This he denied: and he had in support of his opinion the evidence of Mr. Loyd, Mr. Smith, and many of the witnesses before the committees, that the issues from the country banks were at the present moment more limited than at any former period. It had been said, that when the Bank had issued the sovereigns, they continued the same amount of notes as before, and had thereby materially increased the circulation; but this was erroneous, for it was admitted, that, with a few trifling exceptions, the sovereigns were almost all used for the purposes of exportation. Taking, then, these arguments as admitted, he could not see any ground for the assumption, that paper was depreciated by the over issue. It had been urged, that the same nominal amount of circulating medium which might have been necessary at a former period, could not be so now, as from the speed with which notes circulated, and the improved manner in which business was transacted, a much less quantity would represent property to a greater amount. This seemed a plausible argument; but it was incumbent upon those who used it, and who complained of the over issues, to show that the present circumstances of the country in its commercial relations was such as not to require the present amount. They should show that a less amount would be sufficient, which he contended they had not done. An attempt was made to show that a smaller amount of circulating medium in the present day answered the purpose of a much larger at a former period, by the right hon. gentleman who had read a paper to show the amount of notes, and the time of their circulation at the period of 1792 and 1818. The right hon. gentleman had endeavoured to show, from this and from the comparative quantity of business done by each note, that the same amount of notes now would represent a much greater proportion of property. Now, he (Mr. Grant) conceived that this argument was erroneous, and he contended that the issue of Bank notes did not show so much the amount as the mode, of mercantile transactions. According to the variation in that mode, so might the amount of the notes issued appear to represent a greater or less amount of property. Reasoning thus, and he gave his opinions upon mature deliberation, he could not agree in the conclusion which the right hon. gentleman had drawn, that a great part of the depreciation of our paper currency was owing to its over issue. He could, he conceived, trace the decrease of our gold coin, its high price, and the comparative depreciation of paper, to another cause—to one which, he heard with surprise, was meant to be continued—the Mint regulations; a system unknown in any other part of the world, novel in this country, and unproductive of any benefit. This impolitic and absurd system was resorted to on the alleged ground that by it the government would have a check upon the price and amount of the coinage. This check was sought to be established by a double means: the first was, restraining the issue of silver, by keeping the coinage in the hands of government, they taking a seignorage; and the second, by rendering silver not a legal tender beyond the amount of 40*s.*; by which latter check, it had been stated by several witnesses before the committee, and among the rest by Mr. Mushett, that they mainly depended upon the first check as a safeguard against traffic in the coin. These checks he contended, would be, as he maintained they had already been, found ineffectual towards the proposed end. No law, he argued, could afford a protection to our coinage, while it afforded, as did the one of which he then spoke, a constant inducement to its sure violation, and our Mint regulations would in this respect be found as ineffectual as the law which prevented the exportation of gold—a law which, it was unnecessary for him to observe, was daily broken with impunity. By our present Mint regulations we gave an encouragement to the importer of silver, and gold was rendered scarce by being sent out of the market to purchase it. A profit of 8½ per cent was held out in favour of a counterfeit silver coinage; and with such an inducement, what was there to hinder ingenious and speculative men from working mints in France or any other part of the continent, making silver coin exactly resemble ours in appearance and fineness, and transmitting it to this country, where they could get a profit of 6½ per cent upon it? The difficulty of detection would be exceedingly great. The imitation of our coin in base metal might be easily discovered; but such an imitation as that to which he alluded could with great difficulty be detected. The consequence would be, that while the temptation continued, silver coin would abound in this country to the exclusion of the gold. No argument could be drawn in support of the measure from the state of the silver coinage in the reign of William 3rd; for, though at that time it was made a legal tender to the amount of 25*l.* by tale, and over that sum by weight, yet in the tale a reasonable allowance was to be made for wear, and if, as was the fact, it became to be very much reduced by wear, it could not be considered a legal tender, and if taken as such, it was by common sufferance; but the same argument could not apply to our silver coinage now. Neither could the currency of the Dutch schellings in a deteriorated state afford an argument in favour of the system of the Mint regulations; for, according to the evidence of Mr. Page, those schellings were rather used as counters, than passed as value to their amount; at least they were not taken as such by the Bank of Amsterdam. Indeed, so great an objection had the late lord Liverpool to the system of seignorage, from a conviction of its bad effects, that in the contract with Mr. Bolton for the copper coinage, it was stipulated that the coin should be of equal value with the metal given, *minus* the expense of coining. If the experiment, which for the first time we were about to make, were to answer, what good would result from it? But if it should not answer, there would be a drain of gold upon the Bank which it could not stand. It would be like pouring water into a sieve. He could only say, that he viewed the trial with the greatest apprehensions for its consequences.

Mr. *Wellesley Pole* assured the committee, that he felt too strongly how ineffective any thing he could say must be, after the splendid speech of his right hon. friend, to trouble them at any length upon the great question before them. In the results come to by the secret committee, of which his right hon. friend had been the worthy chairman, he most completely agreed; there was not a sentence in the report which was not a fair deduction from the evidence taken before the committee, intricate as it was, and difficult as it undoubtedly had been to sift and compare in all its parts. He most cordially agreed with his right hon. friend in all that he had said of the temper which had been manifested by the members of the secret committee during its long and laborious investigations; nor should he do justice to the right hon. gentleman opposite (Mr. Tierney) and his friends, were he not to say, that nothing could have been more manly, honest, and assiduous, than their conduct in the committee during the three months of its sitting. They appeared determined to forget all party feeling, and to unite in endeavouring to discover the best means of benefitting the country. But, although he cordially concurred in the report of the committee, he felt that he should not act candidly if he did not declare, that, for one, he should have been most willing to have had the report, and the present resolutions framed in the spirit of the amendment moved by the hon. gentleman opposite, had he thought that that could have been done consistently with the duty of the committee to the House and the country, after the paper which the Bank director sent into the committee in answer to the two questions which had been proposed to them. He felt the greatest respect for the directors of the Bank of England, and believed that they were actuated by the best motives; but he would leave it to any member of the House, or any candid man in the country to say whether, after the production of the paper to which he had alluded, the committee could with consistency or propriety, have left it to the Bank to determine when, and under what circumstances, the payments in cash should be resumed.

He would not trespass any longer upon the time of the committee by adverting to the general question; indeed he should not have risen at all, if it had not been for what had fallen from the hon. and learned gentleman who spoke last: he perfectly agreed with that learned gentleman, that the particular considerations which he had pressed upon the attention of the committee were of very great importance, and entertaining the opinions which the learned gentleman did upon the subject, it was undoubtedly his duty to bring it distinctly under the consideration of the committee. The opinions, however, of the learned gentleman upon this point were by no means new; they had appeared before the public in a great variety of shapes. They had been urged with uncommon assiduity and perseverance by one person highly gifted with talents, and possessing great information, and especially upon this particular point. They had been pressed upon the attention of the public, under the signatures of the "Old Merchant," "Mr. Hardcastle," and others; and to do the learned gentleman justice, he had to-night spoken the language of "Mr. Hardcastle" and the "Old Merchant," very correctly. The best answer, perhaps, which he could give to the learned gentleman, would be to state distinctly the principles upon which the Mint regulations were founded. They were not adopted without that degree of consideration which the importance of the subject demanded; and if they were erroneous, those who had advised the Prince Regent upon the subject had much to answer for. From the time of the silver coinage in the reign of king William, the greatest inconvenience had been felt from the circumstance of both the precious metals having been considered as standards of value. The legislature could fix the value of the coin, but it could not fix the value of the gold or silver bullion from which the coin was made; the relative prices of the precious metals would vary in the market from time to time like other commodities, and as the prices of bullion fluctuated, an effect was immediately produced upon the coin; it was therefore found quite impracticable to keep the coin of the two precious metals in circulation together; both being standards of value, the one by law and the other by common consent, they became competitors with one another. In the year 1773, the silver was so depreciated, that although it remained nominally a standard of value, yet all our exchanges with foreign countries, as appeared by a reference to the best authorities, were measured by the gold coin. The gold coin in circulation at that period was much worn and reduced in weight; a circumstance which was found materially to affect our exchanges; it therefore became necessary to call in the light gold and recoin it; and in 1774, when the great reformation in the gold coin took place, it was in fact made the sole standard of value. Gold coin was, by the act of 1774, ordered to be taken by weight instead of by tale as heretofore; the weight of the guinea when it issued from the Mint was 5 dwts. 9$\frac{4}{10}$ gr. but the light guineas in circulation were very much below that standard; when therefore they were called in and recoined, the new guinea was declared not to be a legal tender under the weight of 5 dwts. 8 gr.; one grain and the fraction being allowed for wear by circulation. The immediate effect of bringing our gold coin to this state of perfection, was, as Dr. Adam Smith has observed, to turn the exchanges throughout Europe in our favour. When the gold coin was reformed, the silver coin in circulation was, as he had already stated, worn to a very great degree; it was reduced to the amount of between 25 and 30 per cent; and a great quantity of it which had many years before been taken out of the country was now brought back in its reduced state: the late lord Liverpool, apprehensive of the inconvenience which might arise from this light silver coin coming into competition with the perfect gold coin as an unlimited legal tender, proposed a law which parliament adopted, prohibiting the further importation of light silver coin, and limiting the legal tender of that which was in circulation, by tale to 25*l.* in any one payment; beyond that sum the silver coin was to be taken by weight at the rate of 5*s.* 2*d.* an ounce. This was a temporary measure adopted at a time when it was thought impossible to arrange the monetary system permanently, though, in fact, it established our currency upon the footing, in point of principle, on which it now existed; that act remained in full force from 1774 to 1783. The silver coin then, during that period, was a legal tender for all sums under 25*l.*, being, as he had before stated, deteriorated near 30 per cent, and though, during the whole of that time, the Bank was open for cash payments, and the gold coin was in the highest state of perfection, yet no gold coin was drawn out of the country, nor did gold bullion ever rise above the Mint price; how then was it to be apprehended, that a silver coinage, reduced in weight only 6 per cent below the old standard, and a legal tender only to the extent of 40 shillings, could drive the gold coin out of the country?

The learned gentleman seemed to have been aware of the difficulty of arguing against so delusive a fact, and in order to get rid of it, he had contended that at the period alluded to, the depreciated silver coin was only taken by sufferance; but a short statement would show the fallacy of the learned gentlemen's reasoning. By the act of the 9th and 10th of William 3rd, in order to prevent the currency of clipped, and unlawfully diminished silver money, it was enacted, that silver money should not pass if diminished otherwise than by reasonable wearing. If it was unlawfully reduced, or was clipped, or defaced, it was to be rejected and cut.—At this period the old deteriorated silver had been called in, and a practice prevailed of clipping and reducing in weight the new silver coin just issued. It was to put a stop to these practices, to force the old coin that remained in circulation into the melting pot, and to protect the new silver from being reduced in weight by fraudulent means, that the act in question had passed. But it had become perfectly obsolete many years before the act of 1774, which limited the silver coin in circulation as a legal tender to *25l.*, and it never was in the contemplation of the legislature to refer to it. The very title of the act of 1774, explained its meaning. It was "An Act to prohibit the importation of light Silver Coin of this Realm into Great Britain and Ireland, from Foreign Countries, and to restrain the tender thereof beyond a certain sum;" and accordingly, the clause limiting the tender has no reference whatever to weight or reasonable wear for any sum under *25l.*, but simply says, that no tender in payment of money, made in the silver coin of this realm of any sum exceeding *25l.* at any one time, shall be reported in law to be a legal tender for more than its value by weight after the rate of *5s. 2d.* an ounce. This act which, as he had already stated, was in force without intermission from 1774 to 1783, was made perpetual in 1799, and the preamble stated, that "Whereas an act passed in 14th of the king, entitled an Act to prohibit the Importation of light Silver Coin of this realm, from Foreign Countries, and to restrain the tender thereof beyond a certain sum." The coinage of silver was also prohibited from 1798, yet it never entered the imagination of any man, that the silver coin in circulation, deteriorated as it was near 30 per cent, could be refused as a legal tender to the extent of *25l.*, and in fact it was universally circulated, and passed in all payments.

It had been contended by the learned gentleman, that we had altered the Mint price of silver, by making the proportion in our silver coin as 14⅓. to our gold, and that foreigners would calculate their exchanges with us, not in gold, but in our depreciated silver coin. But the fallacy that ran through the whole of this argument arose from his not recollecting, that this silver coin was not a legal tender beyond 40*s.*, and that the coinage was in the hands of government. The learned gentleman had stated that sovereigns might be taken to France, where they might be exchanged for silver, at the rate of 15½ pounds of silver for one of gold, and thus the man who had obtained his sovereigns at the rate of *3l. 17s. 10½d.* per oz. by selling them at the rate of 15½ pounds of silver for one of gold, would actually obtain for his ounce of sovereigns *4l. 5s. 3d.* The learned gentleman could, no doubt, for a pound either of gold bullion or of sovereigns, obtain 15½. pounds of silver at Paris; and if he could bring that silver to England, and coin it, and issue it without expense or reduction for seignorage, at the rate our silver is coined, then no doubt he could realize his profit. But, under our present regulations, the learned gentleman must, upon a little reflection, be convinced, that no such profit could be made. Any person purchasing silver under the circumstances described, and bringing it into this country, not being able to coin it, must use it merely as bullion in the market. Government had never supposed that by any Mint regulations they could prevent gold or silver bullion from rising in price, all that could be done was, to prevent the coins of the two precious metals from clashing or competing with each other, and this he contended had been effectually done by our present system of coinage. But was it a new discovery of the learned gentleman, that a pound of gold standard bullion, or of gold coin, would purchase 15½ pounds of silver at Paris? Was not the learned gentleman aware, that this had always been the case—since the Mint regulations at Paris had been established? It had been so for many years, and yet the learned gentleman now stated it as if it had been the effect of our new silver coinage. If the learned gentleman's calculations of the effects produced by the new silver coinage were correct, gold should be in the market 4*l.* 5*s.* 3*d.* an ounce, being the value of the silver it would purchase in Paris, and silver upon the same principle ought to be 5*s.* 6*d.*; yet, at the time he was speaking, gold was 4*l.* 0*s.* 6*d.*, and silver 5*s.* 4*d.*, and, it was remarkable, that in all the variations which had taken place in the price of the precious metals since the new silver coinage was issued, they had never been at the relative price at which they ought uniformly to be, if the learned gentleman's theory was correct. They had risen, and fallen, and varied, as they always would, in the market; but unfortunately for the learned gentleman, gold had never been at 4*l.* 5*s.* 3*d.*, and silver at 5*s.* 6*d.* at the same time.

The learned gentleman had said, that that the present system was quite new, and would answer no good purpose: in reply to this he had only to state, that it had been established after much deliberation, and that in fact it was the same which had been recommended by the late lord Liverpool. It had also the sanction of another high authority; namely, Dr. Adam Smith. In common with most other writers on political economy, Dr. Smith was of opinion, that it was a great evil to have two metallic standards of value to an unlimited amount. The learned gentleman, however, wished that we had continued to act on the old system. But what was the old system? It was, that the subject had the power of coining gold and silver at the Mint to any amount, and that both coins were legal tenders to an unlimited extent. To permit this, was contrary to the opinion of all the most skilful political economists. Dr. Adam Smith said, it would be highly desirable to have the silver coin regulated on the same principle as the copper, which was limited as a legal tender to the amount of one shilling, and he thought that the limitation of the silver tender ought to be for the change of a guinea, and that the silver might be rated as much above the market price as it was below it at the time he wrote. This appeared to him (Mr. Pole) the correct view of the subject; indeed, it was that in which the late regulations had been framed; and he had found, upon examining the proportion that was taken for silver coin, that it came to within a farthing of that which Dr. Smith recommended. It had also been the opinion of the late lord Liverpool, that a seignorage should be taken upon silver, and his lordship advised that the coinage should be put into the hands of some great corporation, such as the Bank, to prevent an excessive issue which might thus be controlled by government. So that, in point of fact, the recommendation of lord Liverpool corresponded in principle with what had been done, more efficaciously by being taken into the hands of government. The learned gentleman would hardly dispute that, previous to the adoption of the regulations now in force, the state of the silver coinage was such as was very inconvenient to the nation. He need not recall to the recollection of the House the state of the country at the time they were made. They had now been in operation for more than two years, and he might venture to say, that there was this proof of their efficacy, that not a murmur was now any where to be heard relative to the coinage—yet when the regulations for the coinage were first proposed, there was an outcry against them in the very same quarter whence the objections which he was now considering proceeded. The noble "Old Merchant" had then asked, how a measure so rash and imprudent could be attempted, as to change the silver currency of the country? And insisted, that it would cause the greatest distress among the lower orders, that the shopkeeper, the small trader, the poor man, would be ruined. The chancellor of the exchequer had stated, that he hoped the expences would not exceed 500,000*l.* This calculation was met by a still more positive denunciation of the evil consequences of any attempt towards a new silver coinage; and it was maintained, that the expense would be twenty-fold more than the sum mentioned by the chancellor of the exchequer; half a million!! said the noble "Old Merchant." You are completely mistaken, it will cost you at least nine millions and a half, and that enormous sum must be taken from the pockets of the shop-keeper and the small trader, and an incalculable injury will be done to the country! Calculate, said the noble "Old Merchant," upon one in twenty of the trash now in circulation being counterfeit. I tell you nineteen in twenty are of that description." The result, however, had shown, as appeared by documents upon the table of the House, that the whole expense of the new coinage, of the exchange of the coin, and the recoinage of the old coin, including all contingencies, did not amount to more than 520,000*l.* Such were the predictions when the new coinage was announced. But the gold coin and the rate of exchange never entered into the noble "Old Merchant's" contemplation at that time. He predicted, indeed, the loss of the new silver coin, which, he said, would all leave the country in the course of six weeks. The event, however, had shown how completely the noble "Old Merchant" had been mistaken, and he (Mr. Pole) could not but entertain a sanguine hope, that the present prophecies, however, confidently delivered, would prove to be as erroneous as those to which he had just alluded. Indeed, if the effect of the regulations for the last coinage were compared with those of any former period, it would be found that none had ever been so completely successful. The new coinage in the reign of king William, which cost the country nearly 3 millions stirling, had been attended with many difficulties, and had occasioned a great deal of distress throughout the kingdom, nothing of this kind had occurred in 1817. Throughout the whole kingdom there was hardly an individual who had lost a shilling or a sixpence; and he had not heard a murmur on the subject from any corner of Great Britain. There was now no want of change, and he hoped soon to see the time, when there would be no want of bullion. The learned gentleman, in the course of his speech, had expressed an apprehension, that, in addition to all the other evils to be brought upon us by our present system of coinage, we were liable to have coin exactly similar to our own fabricated abroad, and thrown in great quantities into our circulation; for this purpose, he said, there could be no doubt that mints would be established on the continent, and the profit of thus counterfeiting our coin would be 8½ per cent. He owned he had no such apprehension; the counterfeiting of our coin had never proceeded in any similar manner—during the whole time that our silver coin in circulation had been reduced in value 30 per cent; and that if the learned gentleman's project had been practised, there would have been a profit on the fraud of more then 30 per cent. Such a thing had never been attempted; all counterfeits of our coin had been fabricated at home, and made of base metal; or when the coin was much worn, and the impression wholly effaced, had been produced from stolen plate beat thin for the purpose: and this he was convinced would always be the case. We had no example of a contrary practice: the counterfeit coiner proceeded upon quite different principles from those suggested by the learned gentleman; and it would be utterly impossible for such an operation as the learned gentleman had mentioned to take place, without its being almost instantly detected. All experience was against such an attempt being made; and even if it were to be made, and succeeded, he could not see how it could produce the effect of driving the gold coin out of circulation. As to the copper coin, the learned gentleman was quite mistaken in the view he had taken of it. At the time when he (Mr. Pole) wrote the paper upon which the learned gentleman had commented, which he had laid before the secret committee of the House of Lords by their desire, the copper coinage was circulating at a seignorage of 72½ per cent. This, though there was nearly a million of it in circulation, was found not to cause any inconvenience to the public, because as it was limited as a legal tender to twelve pence, it could only be used for the accommodation of change, and like the silver coin, could produce no effect upon our exchanges, or the value of the precious metals.

It had been asked, how the crown lawyers could have recommended such a measure as the proclamation of the 1st March 1817, declaring, that the silver coin should not be received at the Mint and exchanged, unless the shillings weighed three penny-weights fifteen grains, and the other coins in proportion, if they conceived that by the act of 1774 (made perpetual), the silver coin was a legal tender by tale to the amount of 25*l.* He could not but think it extraordinary, that those who urged this objection should not be aware that the 56th of the king empowered his majesty, by proclamation, to repeal the act of 1774; that it was accordingly so repealedon the 12th February 1817, and that under the 56th of the king the old silver coin had been called in, and exchanged, before the proclamation of the 1st March issued. This proclamation was issued to enable persons who had hoarded old silver coin to exchange it for the new coin. It was, as the proclamation expressed it, "for the ease of his majesty's subjects," and had nothing whatever to do with the calling in of the old silver coin in circulation, which had been exchanged without regard to its weight; and, in fact, the old coin was cried down before the proclamation in question issued. This, therefore, was an indulgence to the public; and when the new coin was issued it was perfectly consistent with justice to issue such a notice.—He was ashamed to have detained the committee so long, but he thought it his duty to lay before them those statements relative to a subject which had been so erroneously treated by the learned gentleman. If the learned gentleman was right, his objections were most serious; but he trusted he had said enough to show, that no weight whatever was due to them. They were unsupported by any of the persons who were examined by the secret committee of the Lords (who had heard much evidence on this subject), excepting Mr. Page and Mr. Fletcher, and their lordships had declared their opinion to be diametrically opposite to that contended for by the noble "Old Merchant" and the learned gentleman; and the evidence of Mr. Mushett had so intirely satisfied the secret committee of the Commons, that they had not thought it necessary to call any other witness on that part of the subject.

Mr. *Tierney* said he had heard with the utmost satisfaction the able and eloquent speech of the right hon. gentleman who had proposed to the House the resolutions which they were that evening called upon to discuss. He could assure that right hon. gentleman that if a compliment from so humble an individual as himself could give him any gratification, he would gladly offer it: but in truth he was afraid to do so, lest he should be thought to be paying a compliment to the principles which himself and many of the friends around him had been advocating for a long series of years. It was, however, a source of sincere pleasure to him to hear those maxims for which he had so long been contending avowed as maxims of true policy in that House, especially as such ample justice had been done to them by the right hon. gentleman who had now, for the first time, adopted them. He had to return him his sincere thanks for this service, and above all, he had to return him thanks for the just and eloquent compliment which he had paid to the memory of a dear and lamented friend of his. He should have received still higher gratification from the events of the present evening had that friend been alive to witness the establishment of those principles which he had been the first to propose to the attention of parliament. The eloquence with which he had explained, and the ingenuity with which he had defended them, had always attracted the admiration of the House, but it was reserved to a later period to acknowledge that they were no less true than they were ingenious. There was another instance, to which it was scarcely necessary for him to refer, where a similar act of justice has been done to a man, whose loss was lamented and regretted by every individual whom he had the honour of addressing—he meant sir Samuel Romilly: the plans which that illustrious character had proposed for the amendment of the criminal law, though ridiculed and rejected as wild and impracticable theories during his lifetime, had been adopted since his death, and taken into the most serious consideration which parliament could give them. The right hon. gentleman had just done justice to one of these distinguished characters; and he trusted that it would not be long before the House would do justice to the other. As far as he could gather the sense of the House, there was a pretty general concurrence in the opinions of the right hon. gentleman. He might be wrong, but there seemed to him a pretty general concurrence at least on his side of the House. Whether on the other side the assent to the right hon. gentleman's propositions was reluctant or not he did not know. He should not have risen, at least at this period of the debate, had he not been personally alluded to, by the right hon. gentleman, as the only member of the committee who had declined giving his assent to this plan. That was not exactly the fact, for a Bank director, who was on the committee, had differed from the majority, though when the question was put, he (Mr. Tierney) was the only dissentient member. In justice, however, to the other members of the committee, he had to say, that the investigation was throughout conducted in a most exemplary manner; and that the impartiality of the right hon. gentleman, as chairman, could not be exceeded. He (Mr. Tierney) much lamented that he could not concur in the proposition that had been submitted to the House: no man was more anxious than himself for a speedy resumption of cash payments; no man had perhaps shown less leaning towards the Bank directors, but justice ought to be done to all parties. He would state plainly, and without reserve, his reasons for preferring the amendment of his hon. friend, and for recommending it to the House for adoption. Those who supported the Resolutions, and those who supported the amendments, all were agreed, at least he hoped that all or nearly all were agreed, that the sooner the ancient metallic standard of value was restored the better. There might be a few; indeed he knew there were such from the evidence furnished to the committee—who maintained that the Bank restriction could be continued without inconvenience; such a view of the subject he entirely abjured; he disclaimed all community of interest and feeling with them, and although he disagreed with the right hon. gentleman who had introduced the subject, he perhaps even more widely differed from the monstrous doctrines that had been broached on the other side. He was well convinced that there was no security for the empire but in a recurrence to a metallic currency. No man's property could be safe, or even have a value until that wholesome state were restored; and the only dispute would be, whether the method of restoring it now proposed, was such as ought to meet with the approbation of discreet men.

The plan of the right hon. gentleman, or rather of the committee, lay in a narrow compass. It was, that the Bank, in February next, should pay at the altered standard of 4*l.* 1*s.* all demands upon them to the extent of 60 ounces of gold; that in October they should pay them in gold at the rate of 3*l.* 19*s.* 6*d.*; and by the 1st of May, 1820, revert to the old Mint standard of 3*l.* 17*s.* 10½*d.*: but it did not stop there: for the plan was to continue for two years from that date, during which the Bank was to pay its notes in bullion at the Mint price. The drift of the whole was, that in 4 years from the present date, that was in the ninth year of peace, the country should have a prospect, though a distant one, of enjoying once more the blessing of a metallic currency. The country was much indebted to his hon. friend behind him for employing his mind, so well endowed upon all subjects, upon this; but he was by no means convinced that the plan his hon. friend had suggested ought to be adopted. The House, however, would bear in mind that the project of the committee was not his hon. friend's plan: it was a proposition of a totally different description, for it deferred all payments in bullion for two years, and did not at last give the country a specie currency until the lapse of two years more. It was true that some sort of stepping-stone to Mr. Ricardo's plan (for it was idle to conceal the name) might be prudent; but he could not without alarm and abhorrence see an attempt thus made to introduce for no less a term than 18 months, a standard of value unknown to the usages of the kingdom: it was in fact raising the price of gold because the price of paper was lowered: "if your paper," said the minister, "will not come to my gold; my gold must come to your paper: if the mountain will not come to Mahomet, Mahomet must come to the mountain." Perhaps the most eloquent of the many eloquent passages of the speech of the right hon. gentleman related to this subject—to the danger that might arise from altering the ancient permanent standard of value; and it was this that produced in his (Mr. T.'s) mind, the greatest degree of alarm: he feared that the principle of the ancient standard, being once broken down, would never again be restored. The system was proposed on the other side as a security against possible dangers; but he would ask in his turn, if there were not in that very system a possible danger of establishing a precedent of most injurious consequences? Suppose (to put a case) every thing went on as well as could be desired from hence until October; that there were no complaints of a drain on the Bank, or of a want of currency for the supply of merchants; what answer might be made to the application to carry into farther effect the plan of to-night? What security was there that the wishes of the country would be complied with, or that an application would not be made by ministers to parliament, stating that the 3*l.* 19*s.* 6*d.* was not a sufficient price for gold, and that 4*l.* 1*s.* must be continued, or the kingdom would be exposed to imminent perils? It would be said, perhaps, "we have had 18 months of this state of things, and why should we recur to another?" Who would answer for the right hon. the chancellor of the exchequer in such a case? It was not very unlikely that petitions in numbers might be presented, in order that the standard might remain at the same rate. Suppose at the termination of four years some unforeseen circumstances should occur like those of 1797, which induced government to think it impolitic to perform their engagement; they might then say, the Mint price of gold is not enough, let us go back to 3*l.* 19*s.* 6*d.* per oz., or supported by precedent, they might even urge the necessity of returning to 4*l.* 1*s.* the price allowed three years before. Surely this was a very possible danger against which there was no guard, and the country might be deprived of all hope of ever returning to cash payments at all: the Bank restriction itself might be proposed at the very moment when people thought a wholesome currency was restored. For his part, he should wish to cut off at once all retreat to the doctrines which had so nearly ruined them all during the last 25 years. If war should again break out, the first thing they might hear would be—let us go back to the 3*l.* 19*s.* 6*d.*—and then let us go back to the other step—and then a bill passed in 24 hours suspending all cash payments—and so the wheel might go round, till they came to where they now were. This deserved the serious consideration of every gentleman in the country. Without introducing much of party into this subject, he was bound to say that he must look with extreme jealousy at every danger of alteration in the plans of an administration, which, by the proceeding now before the House, reversed every principle which they had formerly considered sacred. What security had the nation, after all that had passed, that they would not again retrace their steps? Having lately had a new light break in upon them, respecting which he was reluctant to speak harshly, what confidence could the people feel that in a few years they would not be visited by a fresh illumination? It was the interest of ministers now to adopt one course, and they adopted it; but it might be their interest on some future occasion to adopt another course, diametrically opposite; and what pledge did they give that they would not desert the line they were now pursuing? What then was to be gained by this much-boasted discovery? Here he might make many observations upon the drain upon the Bank, and on the reduction of discounts; but he forbore, because he was persuaded that the House would hear them to much greater advantage from some of the directors or merchants whose interests were concerned. He objected to the plan, because in his conscience he believed it to be so full of danger, that nothing could justify it but paramount necessity. If cash payments could not be restored without it, then he would give his consent to it, but not till then. He meant to put the matter fairly, and he hoped he had done so.

What then was the real ground of this proceeding? Neither more nor less than this—that the Bank was not to be trusted. Ministers might now talk for ever to the contrary, without avail; the fact had almost been avowed by the right hon. gentleman, that it was absolutely necessary to take some security from the Bank, in consequence of the conduct it had pursued, and the opinions it entertained. As to the opinions of the Bank, he (Mr. Tierney) was as hostile to them in general as any man; but in justice to that establishment, it was but right to say, that the opinions of the Bank had been, and, until the resolutions of the right hon. gentleman were agreed to, still were, the opinions of the House; they still remained on their Journals, the right hon. the chancellor of the exchequer having prevailed on the House to adopt them in 1810, in opposition to the resolutions of Mr. Horner. Since that time light had certainly broken in upon the chancellor of the exchequer; and who should assert that light might not break in upon the Bank directors? If a decided opinion of the majority of the country and of the House had made converts of ministers, and had induced them to abandon a course they had undeviatingly pursued for the last ten or twelve years, was it unfair to suppose that the Bank directors might be converted also? He did not contend that those gentlemen were at all warranted in entertaining the strange and wild notions they had promulgated; but practically how did the matter stand? The committee maintained as an abstract principle, and as statesmen and philosophers, that the issue of paper governed the price of gold, and therefore that the issue of paper ought to be regulated with a view to the safe resumption of cash payments; but the directors, not pretending to be judges of political economy, merely replied, that there would be a run upon them, and they must call in their paper for the purpose of protecting themselves. The issue then was between statesmen and philosophers, acting upon solid principles of political economy, and Bank directors who considered only their own peculiar convenience, and private interests. It had always struck him with astonishment that 26 such well-informed gentlemen could be found to maintain that the price of gold was in no way regulated by the issue of paper: that seemed a monstrous proposition, and the directors were now in a manner bound to admit, when they found all the rest of the world differing from them, that they must be in the wrong: they were even abandoned in this opinion by their old friend, the chancellor of the exchequer, who having been long under the wing of the Bank, was determined now to act and think for himself; he even required from his ancient associates, the directors, some security that within a given space of time, they would do what was right towards the resumption of cash payments. The argument on the other side amounted to this, and to nothing else—that the Bank of England was no longer to be trusted, because it was evident, from some expressions used by the directors, that they would not take the proper and necessary measures for paying their own notes. He should be glad to know how it was possible to say any thing more severe against a body of men in trade? It was saying, in truth, that they were unwilling to take the shortest road to pay their debts: it was an imputation on their integrity; the legislature would not trust them to the extent of dealing honestly by their creditors: it was telling them that their object was not to resume cash payments, that they would postpone and avoid it by all means, unless compulsion were put upon them, for which purpose they were to be absolutely chained down. Undoubtedly the Bank seemed to be acting very foolishly, even with a view to their own interest, for in a pecuniary point of view, the plan was most favourable to them. At least, therefore, the Bank were acting upon a disinterested principle in opposing the plan, unless it were to be supposed that they did not understand what was, or what was not, for their own benefit. Was it not, however, extraordinary, that so much pains should be taken to obtain a security from the Bank, and that the House should take it for granted that government would do what was right? The evidence was directly in the teeth of this, for it showed that the Bank had uniformly endeavoured to do what was right, and that government had as uniformly resisted it. The crime of the Bank, if crime were the proper word, was that which had brought many men to ruin—keeping bad company: they seemed to have had a blind affection for, and a foolish confidence in, the chancellor of the exchequer, who had now reduced them to this melancholy pass, and a melancholy pass it was indeed. The course of things had been this:—In 1816, parliament passed a bill, declaring that cash payments should be resumed in 1818: the Bank took steps to effect it, by advertising that they would pay a certain portion of their notes in specie: in the year following, 1817, they went farther, and agreed to pay all notes dated before January of that year, amounting to many millions. But what did the chancellor of the exchequer do? He stated in the House with the utmost triumph, that the Bank were paying gold, and that a specie currency was actually commenced. This was the same chancellor of the exchequer who now declared, that the Bank was not to be trusted. It was contended by the friends of the ancient standard of value, that the Bank ought then to have reduced its issues; but it now turned out in the evidence, that it had not been done, and that if stupidity were not the right word, as applied to the directors, guilt was undoubtedly the right word, as applied to the ministers. The evidence of Mr. Harman was decisive: he stated that the Bank did not decrease its issues, for it had no control over them, as the whole management was taken out of its hands by government. Was it not then most extraordinary, that no security was to be taken from the chancellor of the exchequer, while the right hon. gentleman was extorting the most peremptory securities from the Bank; in short, the shepherd was to be put into the stocks, while the wolf was to be allowed to prey upon the flock. He felt no regard for the directors in their corporate capacity; with three or four he was acquainted, and to one he was related, but private feelings should have no influence upon his conduct; and when he recommended that all the securities should not be taken from them, he did it upon public grounds. He could not figure to himself any thing more mischievous than for the government to hold up the Bank to the world as unworthy of public confidence: a private establishment would have been ruined by it, and the Bank of England was now only to exist under the control, and at the discretion of ministers: the directors were no longer to decide upon the increasing or decreasing of their issues: they were not to be trusted with the management of their own affairs: three months ago the Bank was respected by all classes, even courted and conciliated by ministers: now it was abused by its oldest friends, and abandoned by the whole world. As long as there was a Bank it was our interest to maintain its character; upon that depended the estimation in which the public would hold the currency: and a more extraordinary recipe for government was never heard of than this—that because some new light had broken in upon those hitherto "in middle and utter darkness," the strictest securities were thus to be demanded, and the utmost rigour displayed. Did he then not wish for securities? He did wish for them; and as the most effectual security, he required that the Bank should be paid the advances it had made to the full extent demanded. If they wanted 10,000,000*l.* let them be paid, and then let the House pass some strong resolutions, that at the time appointed a specie currency should certainly be restored. Thus the whole responsibility would be thrown upon the Bank, and harmony might yet be restored, if all communication between the Bank and government had not been quite cut off. The House had seen some strange political reconciliations among ministers, and sure he was that a re-union between the chancellor of the exchequer and the Bank would be much more to the advantage of the country than the personal coalition to which he referred. The Bank would then have no excuse for neglecting to prepare —nay, he would go the length of saying, that if after the repayment of the debt, it did not take the necessary steps to resume cash payments, it would forfeit its character, and he for one would vote its conduct in such case a violation of its charter, and support the appointment of a new Bank, and the annihilation of the old. If the directors deservedly forfeited confidence, away with them; but it was most unfair that ministers should insist that the machinery of Threadneedle-street should work as easily as ever, and yet withhold the very oil from which it derived its facility. His firm conviction was, that after what had passed, if the 10,000,000*l.* were paid, the Bank would be ready in two years or sooner to resume cash-payments. He was one of those who believed that the ordinary current of the Bank, unless checked by war, a deficient harvest, or some other cause of equal power, would necessarily bring the exchanges right, and that in healthy times it would be found much more difficult to get the gold out of the country, than to entice it into it. For this opinion he could state many reasons, were he not afraid of wearying the House. The House would do well to consider what the consequence of the postponement for four years would be, and in what a state of jeopardy the government would be placed in the event of the breaking out of a new war. If in the course of 4 years such calamity might be expected, was it any thing less than madness not to have made arrangements sooner? All these things pressed upon his mind in favour of the amendment which provided that the Bank should be paid its advances in certain proportions monthly to the extent required. Yet to vote the money for such a purpose was doing nothing; the House had voted it last year, but the chancellor of the exchequer had never paid it: it now appeared that the directors had had some communications with the chancellor of the exchequer and lord Liverpool, with a view to resuming cash payments in July: it was agreed that a million a month should be repaid to the Bank, and parliament confirmed this understanding by its vote; but what was the result? The chancellor of the exchequer paid 750,000*l.* in May—refused to disburse a shilling more, and now turned round upon the Bank and accused it of being negligent and improvident. It turned out also on the evidence, that the Bank had remonstrated against the foreign loan as injurious to the exchanges, and this previous to the proposal of the renewal of the restriction; yet the chancellor of the exchequer had come down to continue it only for one year, when he must have been morally certain that a specie circulation could not be restored by the date appointed. Thus he had wilfully deluded the country, and yet wished to appropriate to himself all the confidence the public justly felt in the Bank. The directors might have been duped, but at least their dupery was less injurious to the nation than the conspiracy of ministers. He was far from concurring in the wild and visionary doctrines set forth in some of the pamphlets published on the subject: but when he found that so many men of good intentions were hostile to the present plan, he could not help thinking that there was something at the bottom wrong. It would be asserted, no doubt, that such men did not understand what they were talking about—that they argued against the principles of such and such approved writers; this might be a very pleasant answer for ministers, but it would not satisfy those who would be severe losers by the scheme. Next it would be urged, that such doctrines encouraged panic, but it was one of the chief beauties of the amendment, that it put an end to all causes of alarm. However, panic was a very favourite word on the other side; but had not a man, with a 10*l.* note, some cause to complain, who, when he took it to the Bank, was told it was good for nothing, unless he could bring with it others to the amount of 240*l.* This must excite in him a degree of alarm for the consequences; and yet, because he could not command the sum required, he was to be denied his gold. Suppose he wished to bury it in his garden—suppose he told the Bank that that was his fancy: the answer would be, that the legislature had prevented it. What would be the result? It was a necessary part of the plan that Bank-notes should be made a legal tender, but that could not be effected without gross injustice. The distinction between a person with 240*l.*, and another who had only 10*l.* in Bank-notes, was most iniquitous: the one might amass his ingot, while the other could only trust to his paper. Suppose a man having a 10*l.* note in his hand, were to walk into the Bank, and demand gold for it. "No," replies the clerk, "you shall get no gold for that, but go back and procure 240*l.* and then you shall have an ingot. If you are frightened about the value of the Bank notes, more shame for you; a man of your limited fortune has no right to be frightened." It had been said that no evidence had been called before the committee as to the merits of this project, and it was an extraordinary truth, that from the moment it was resolved upon, no human being was consulted as to its effects. It was made a point of honour that the directors should have no communication with the committee; they were tattooed, and driven out of the room, and day after day performed at the door a melancholy quarantine. At the present moment, excepting privately, ministers knew nothing of their opinions, and the plan before the House. They had, indeed, been asked about Mr. Ricardo's system, and their answer was not one of the wisest, when they spoke about paying at the Mint price of the day. Mr. Baring was the only soul who had been asked a question on the subject, and he distinctly stated it as his opinion, that the best course would be to leave to the Bank the conduct of its own concern, repaying it the advances which it had made to government. Ministers must, therefore, not be much surprised, if they found the plan scouted out of doors. If the claim of the Bank were allowed to the extent of 10,000,000*l.* not only all indelicacy would be avoided, but the security would be greater; and if government were to be trusted at all without any guard upon their conduct, there was no occasion for the plan. Parliament would probably meet before either February or October; and if in the intermediate time the Bank did not take the necessary steps to resume cash payments, it would then be sufficiently early to call the directors before the House. There was no difference in allowing the Bank two years, and limiting it to short periods, excepting that the latter fettered all discretion. There was another argument in favour of the amendment of his hon. friend: could any one doubt that the plan of the right hon. gentleman was the cause of the depression of the funds? Would any commercial man hesitate to say, that if the amended plan were adopted, the consequence would be an immediate rise in the funds? He was himself satisfied of that fact. How could the conduct of the chancellor of the exchequer produce credit or confidence in government, when even in time of peace he was about to have recourse to a loan? The machinations of government had already reduced the consols to 66. Was it not a material object at a time like this, when there was so much alarm, and so much cause for it, to do every thing which could tranquillize men's minds? Oh but, says the chancellor of the exchequer.—"Who cares for alarm? Rely upon me and all will be right." But who could rely on men governed by no fixed opinion, who to-day professed themselves converts to right principles, because they could not help themselves; and who to-morrow would return to their old errors and absurdities, if left to their own wills? One right hon. gentleman had triumphed over his colleagues in having maintained a consistent opinion from the beginning, and he sincerely congratulated him on such a cause of triumph, because he felt that it was a benefit to the country that such opinions should be held by a man in high office; but his colleagues were not entitled to respect or confidence for one moment, after the disgraceful part they had acted. One minister had maintained what was right, that the issue of paper governed the price of gold; while another as strenuously insisted that a pound note and a shilling were equal in value to the guinea. But the joke was, that the chancellor of the exchequer, who had broached the last enlightened maxim, now asserted with all his might that a pound note and a shilling would not purchase a guinea. Would it not be a disgrace to the House to keep on its journals such a resolution as that he had now alluded to, in conjunction with the resolutions proposed this night? The principles of the two were diametrically opposite, and to reconcile them was impossible. Ministers now wished to have the credit of taking an enlarged view of the question; but sad work they made of it. What defence they could set up he knew not; and how, notwithstanding their sudden change to just principles, they could acquire the confidence of the country, he was at a loss to discover. The right hon. gentleman and the noble lord had in fact entered into the committee without any plan of any kind, and for any good they did, Gog and Magog might as well have been sitting on each side the chair. There they might have remained, had it not been for the ability of the chairman who had helped them out of their scrape. By some good luck a plan came to them, either by the twopenny post or by some other conveyance; immediately they took hold of it, they shouted *Te Deum*, and thanked God for sending them a scheme which was directly in the teeth of the whole system on which they had acted for the last 25 years. He should recommend the amendment of his hon. friend, as most likely to conciliate the public mind, and to allay those alarms which had sprung out of the bad management of the chancellor of the exchequer. He should therefore propose, either that the amendment be adopted, or that the House should adjourn the farther consideration of this momentous question.

The *Chancellor of the Exchequer* said, that he would not content himself with a silent vote on the present occasion, lest it might be imputed to him, that he gave merely a sullen acquiescence in the plan proposed by his right hon. friend. So far from that, it received his most cordial approbation, persuaded as he was, that it was admirably calculated to insure that most desirable object, the resumption of cash payments. Had he felt differently, he trusted that he should have had the candour to express his opinion without reserve. He had always been of opinion, that it was highly advisable, that the restriction should be removed whenever the commercial and political relations of the country, rendered such a measure safe and practicable; and it was on that ground, that he had, on a former occasion, proposed to the House a resolution to that effect. Such was still his opinion; from that opinion he should never deviate; and, therefore, he could not be charged with inconsistency on that score. He had never argued or imagined that this country could, with safety, persist in upholding a paper circulation, without a fixed standard of value; contrary to the practice of every other nation. The committee, at the commencement of their deliberations, had determined to avoid all theoretical reasonings, and to address themselves to the practical part of the question. That was the course which he intended individually to take on the present occasion. He by no means wished to shrink from any opinions which he had formerly avowed; but he begged that the House would take those opinions from the printed documents, from the resolutions on their journals, which he had had the honour of proposing to parliament, and from his own recorded arguments, and not from the representations of those, who, without much regard to candour or civility, had chosen to state them for him. The extraordinary pressure of the times had rendered a temporary suspension of metallic payments (however the necessity of such a deviation from ancient principles might be regretted) wise and politic; but he could assure the House, that the object of government had always been a return to cash payments as soon as possible. The question therefore was not whether they should or should not return to cash payments; but what was the fittest opportunity, and most convenient mode of accomplishing that purpose. The object of the proposed amendment was, to get rid of the original resolutions, and of the whole plan of the committee. He could not therefore consent to its adoption; although he had no objection to that part of it which suggested the repayment of the advances from the Bank to government, to be made in monthly instalments, except that it might not be advisable to restrict the proceedings of the treasury to so precise a course. That, however, was a matter of detail, which might be settled at a more convenient opportunity. Among the strange occurrences of the day, was the spectacle of the right hon. gentleman opposite, vindicating the Bank directors! It was the first time that he had been known to compliment them; but, perhaps the right hon. gentleman was the more readily induced to adopt this new practice, by supposing that it was at the expense of government. For the first time, the right hon. gentleman had discovered, that in all past proceedings between the Bank and government, the former was uniformly right, and the latter uniformly wrong. He had censured government for not repaying the Bank in 1817, but the Bank itself did not wish it. It was not a little singular, that the hon. member who had moved the amendment on the present occasion, was one of a deputation, who in 1818 had waited on the earl of Liverpool and himself, to request, that the repayment might not be farther extended. The right hon. gentleman said, that the proposed plan held up the Bank directors to public obloquy. This he (the chancellor of the exchequer) positively denied. He had been too long acquainted with those gentlemen, to doubt their integrity and honour; but he did not on that account think the resolutions less necessary; for, whatever confidence he might place in the Bank, he was persuaded that nothing but the appointment by parliament of a specific period for the resumption of cash payments would satisfy the public. By the adoption of the resolutions proposed by his right hon. friend, the country would be approaching, with a slow but a sure step, towards the accomplishment of that desirable object. Without some preparatory measure like that now recommended, however great might be the exertions of the Bank to resume cash payments, the public would be as little prepared for such a proceeding as they were at present prepared for the resumption of cash payments in July next; although by the existing law the Bank was liable to pay its notes in specie at that time. The measure was therefore intended rather to warn the public to be prepared for such a change in the internal economy, of the country than to impose any constraint upon the Bank, or to exhibit towards it any distrust; and he was persuaded that such was felt to be its character by the Bank directors themselves. A variety of plans had come under the consideration of the committee, but he gave a decided preference to the one before the House. The plan which was founded on the principle, that the Bank should pay in bullion at the market price, afforded no advantage as a regulation of value; for the market price varied every day. Another plan recommended that Bank notes should not be paid on being presented, but only at the expiration of a certain period after. That, however, might cause a very injurious difference in the actual value of notes of the same nominal amount. The plan of restricting the numerical amount of the issues of Bank notes was also in his opinion very objectionable, and would place the Bank in an embarrassing situation; as there were many considerations to attend to besides the numerical amount of the issues, and as the fear of exceeding the amount prescribed by parliament would plunge the Bank into perpetual difficulties. The proposition for altering the standard could afford only a momentary advantage; and its fallacy had been sufficiently exposed by his right hon. friend. Having thus briefly hinted at the different measures, which had been suggested in competition with the plan suggested by the committee, he would now turn his attention to the objections that had been raised against the resolutions proposed by his right hon. friend. And first, with regard to the regulation for the permanent resumption of cash payments in four years. In the hon. gentleman's amendment the term of three years was proposed. Now, according to the regulations recommended by the committee, a regulation would take place almost amounting to cash payments at the expiration of two years, and therefore earlier by one year than the hon. gentleman proposed. The right hon. gentleman had asserted that public opinion was against the plan. It was true that public clamour had been excited against it; but he trusted that the discussion then in progress, and that which had taken place in the other House of parliament, would disabuse the public mind, and allay its temporary fermentation. A depression of the funds had unquestionably taken place; but he denied that there was any thing in the plan to occasion it; and he hoped a few days given to the consideration of the plan would induce the public to concur in his conviction of its superiority to every other proposition that had been made. It appeared to him that, however desirable the resumption of cash payments was, the public had hitherto experienced no inconvenience from the paper currency, as it had answered internally every purpose of metallic payment. The proposed plan, however, would prove highly advantageous by providing against any unforeseen event, arising from public alarm, or sudden commotion. The right hon. gentleman had, in one part of his speech, alluded to the evidence before the committee on this subject. Now, on a reference to the report it would appear, that of fourteen gentlemen examined by the committee, ten, including the governor, and deputy-governor of the Bank, were in its favour. Three (Mr. Rothschild, Mr. Smith, and Mr. Harman) were certainly against it; and one (Mr. Ward) gave no decided opinion on the subject.—Referring to Mr. Baring's evidence, which was certainly the most important of any, from the detail of facts and reasonings into which that gentleman had entered, he must say that he could not avoid thinking it very extraordinary that the right hon. gentleman should describe that evidence to be unfavourable to the proposed plan. So far was that from being the case, that a perusal of Mr. Baring's evidence would show not only that he had expressed his approbation of the plan, but that he had explained in the clearest manner the grounds on which that approbation was founded. Mr. Baring had declared that he thought the plan perfectly practicable, and in fact that it was a plan which had long been in operation in the Bank of Hamburgh, one of the most esteemed in Europe for its mode of conducting business. In the opinion of Mr. Baring, he (the chancellor of the exchequer), on the best consideration that he had been able to give to the subject, perfectly concurred. He was confident that when the arguments in favour of the plan became generally known, the alarm that had been felt would be dissipated. As to the allusions which had been made to the financial conduct and operations of his majesty's present government, he should only remark, that it was not often that a government had undergone such an ordeal. All its most secret transactions had been brought under review; and he thought it not a little creditable to it, that the right hon. gentleman had discovered so little to find fault with. He should sit down, with the natural anxiety which a member of the government must necessarily feel as to the judgment which parliament would form of its conduct, but with perfect reliance that nothing would be discovered to impeach its integrity, and that the deliberate voice of parliament would confirm its judgment.

Mr. *Manning* said, he had to plead the example of an hon. member who had preceded him, for referring to what had passed in another place. Much stress had been laid in that place by a noble earl on a paper which was presented to the House, containing a calculation of the number of days during which all notes from 1*l.* to 1,000*l.* circulated. Though this paper was curious, no inference whatever could safely be drawn from it, on account of the entire alteration of the practice of the bankers since the restriction. Previously to 1797, it was well known, that when a banker received a note he put it into his till, and paid it out again to the individual who had a demand on him. But at present it was the practice of the bankers to send in their parcels of notes to the Bank, from one to sixty parcels in a day, with an earnest request to the clerks not to mix them, that they might be able to trace them to their customers. Any gentleman who drew a check on a banker must now perceive, that it was always paid in new notes, which were regularly supplied from the Bank of England. The inferences which were drawn from this curious paper, that so many millions of notes supported so many hundred millions of circulation, were, by this plain fact, shown to be entirely worthless. The right hon. the master of the Mint had said, that he had gone into the committee with an intention to fix the resumption of cash payments at a distant period; but that his opinion had been entirely changed by the communication of the directors of the 25th of March. He did not intend to defend all the proceedings of the court of directors, or of any court; but it was to be recollected, that they could not apprehend any thing for themselves, and that the solicitude they had expressed was for the country. They were anxious to allay the alarms which had been spread throughout the country; and he was authorised to say, that the Bank directors were taking no steps at the present moment to reduce the circulation of the country or cramp its agriculture or commerce. But if the House withdrew its confidence from the Bank at a moment like the present, they could not be answerable for the consequences. At present there was, however, no ground for alarm, though he warned the House that if the resolutions were passed they might have a tendency to create a foundation for it. To prove the sincerity of the Bank in its desire to resume cash payments, he referred to the evidence, p. 150 and 151 of the Appendix, of the governor and deputy governor, and Messrs. Thornton and Harman. But he knew not how any one could doubt the sincerity of the Bank, after the issue of six millions of gold in 1817, and their engagement to pay many millions more. However their wisdom might be called in question, he knew not what better evidence could be afforded of their sincerity. The resolutions, if passed in their present shape, would have the effect of fettering the Bank so as to cause an inconvenient reduction of the currency. He referred to the case of 1796, when the bank notes were reduced from 14 to 9 millions, and through the scarcity of money the consols fell to 47, though notwithstanding this the restriction was deemed necessary. The issues of the Bank, he contended, did not solely regulate the price of bullion, for when Buonaparté landed in France gold fell 18*s.* per oz. and when the battle of Waterloo had been gained it fell 15*s.* though the amount of notes were the same in both cases. With the three first original resolutions he agreed; but from the others he should dissent, as the obligation on the Bank to pay at the intermediate times in bullion, at a certain price, without reference to circumstances, might have a mischievous effect on the country. He should, if nothing else was proposed, vote for the resolutions of the hon. member for Coventry. There was, however, one part of those resolutions from which he dissented, namely, that which forbad the Bank from purchasing government securities. He called to the recollection of the House the sacrifices which the Bank had made for the service of the country. When subsidies were paid to foreign powers, they had purchased gold without considering the loss. When the duke of Wellington was in the peninsula, they had never hesitated a moment in procuring, at any price, the gold required for the public service. At a time when a silver coinage could not have been effected, they had supplied its place with tokens at a loss to themselves, according to the best estimate, of a million sterling. Great had been the sacrifices made by the Bank for the convenience of the public service; and those sacrifices had been always submitted to cheerfully. He objected to any scale in the price of gold between the present period and 1821, because he was persuaded, that at that time, unless any unforeseen circumstances intervened, cash payments would be resumed; of this he was certain, as far as human foresight could go. With reference to the Bank restriction act, if bank notes at the time of its enactment had not been so scarce, that measure would not have been necessary: and he only feared that if the present measure were pushed too far, we should be much in the same situation we were in at the time alluded to. He must therefore vote against the resolutions which followed the first three; the fourth and fifth he most decidedly objected to.

Mr. *Ricardo* said, he was fully persuaded of the truth of the declaration of the hon. director, that the Bank wished to resume cash payments, but he was just as fully persuaded that they did not know how to set about it. When called before the committee, the directors individually admitted that the price of bullion and the rate of exchanges were affected by the amount of their issues; but when collected in their own court they resolved that "they conceive it to be their duty to declare, that they are unable to discover any solid foundation for such a sentiment." And now, in the Remonstrance which they have made to the chancellor of the exchequer, they again admit that the exchanges are affected by their issues, for they condemn the measure recommended by the committee for restoring the exchange to par, on the ground of its being calculated to force them to contract the amount of their circulation, which they represent as fatal to the public interest. When they avowed such inconsistent opinions, and after the experience which the House had of their conduct, it would be the highest indiscretion in parliament not to take out of their hands the preparations for the resumption of cash payments. He did not think this a question only between the Bank and ministers, as it had been argued by his right hon. friend (Mr. Tierney), but rather one between ministers and the Bank on one side, and the country on the other. He was therefore disposed to concur with his right hon. friend in any measure which might be devised to keep the ministers also under control. One principle was clear, it was of the utmost importance in the consideration of this subject, it was this, that those who had the power of regulating the quantity of the circulating medium of the country, had the power of regulating the rate of the exchanges, and the price of every commodity. This power clearly resided in the hands of the directors of the Bank, and it was a most formidable one. It quite astonished him that Mr. Harman could imagine that it was in the power of an individual to influence the exchanges against the wish of the Bank; which was just as reasonable as to suppose that an individual, could regulate the price of corn or any other commodity of general consumption. This question was one of immense importance in principle, but in the manner of bringing it about was trivial, and not deserving half an hour's consideration of the House. The difficulty was only that of raising the currency 3 per cent in value [Hear, hear!]. And who could doubt that even in those states in which the currency was entirely metallic, it often suffered a variation equal to this, without inconvenience to the public [Hear!]. In this country we had nothing but paper in circulation, and therefore every variation in the value of our currency was shown by the price of gold, but where metal alone circulated, it could not be doubted that gold might, from various circumstances, become more or less valuable, and thus affect all contracts, though from their being no other standard to measure it by, its variations were less palpable. His particular reason for supporting the measure under consideration was this. By withdrawing paper, so as to restore the note to its bullion value (an alteration, by the bye, only of 3 per cent.), the House would have done all that was required [Hear, hear!]. But if the House adopted the proposition of the hon. gentleman (Mr. Ellice), another variation in the value of the currency would take place, which it was his (Mr. R.'s) wish to guard against. If that amendment were agreed to, an extraordinary demand would take place for gold, for the purpose of coinage which would enhance the value of the currency 3 or 4 per cent in addition to the first enhancement [Hear, hear!].—As to the plan under the consideration of the House, it was that which the Bank directors, if they were wise, should wish for [hear!]. They should wish to fill the circulation with paper, and so long as they had the privilege of giving gold bullion for their notes, there would be no coin in circulation—they would have the monopoly. They had no real interest in the depreciation of the currency; it would be rather their interest to raise it, even to double the value. They were in the situation of creditors, not of debtors; their whole capital being in money or other securities representing money [Hear, hear!]. As to the resolution which bore that the government should repay the Bank a certain sum, he could not agree with it. The House having taken a security that the currency should be of a certain value, they had done enough, and should not farther interfere with the proceedings of the directors, who should answer to their proprietors only for the management of their concerns. The Bank might, if this resolution were agreed to, feel some difficulty in putting forth the amount of currency which was required. For though what the directors thought a check, namely, the rate of interest on money, was no check at all as to the amount of issues, as Adam Smith, Mr. Hume, and others had satisfactorily proved; yet as the Bank directors were governed by certain traditional limits, or something like limits, in discounting to individual merchants, they might have difficulty in keeping up the requisite amount of currency. A director, in his evidence before the committee, had said, that the Bank did not confine themselves to this limit where the individual's credit was undoubted; but it should be recollected that the Bank was a cautious and timid body, and if they had no other means of supplying the requisite amount of circulation but by discounting bills, he feared the public might suffer from a scarcity of money. He was certainly for leaving them to conduct all such transactions according to their own discretion and pleasure, provided only that such a check was established as should guard against a redundancy. The proposed mode of resuming cash payments appeared to him the easiest that could be imagined. The Bank would be placed under no restraint at first, nor any sudden necessity of reducing its issues. An opportunity would be afforded of effecting the object in the most gradual manner; and even when bullion payments should be made at the Mint price, the inconvenience would be but inconsiderable. Till October 1820, the Bank need make no reduction, and then a slight one [hear!]; and he had no doubt that if they were cautious they might arrive at cash payments without giving out one guinea in gold. The Bank should reduce their issues cautiously; he only feared they would do it too rapidly [hear!]. If he might give them advice, he should recommend to them not to buy bullion, but even though they had but a few millions, if he had the management of their concerns, he should boldly sell. Every sale would improve the exchanges, and till gold fell to 3*l.* 17*s.* 6*d.* there would be no necessity for the Bank to make any purchases. He was only sorry that the Bank was not to be obliged by the resolutions to buy all the bullion offered to them at 3*l.* 17*s.* 6*d.* lest through excessive caution they might starve the circulation. The Mint, it was true, was to remain open to the public, who might coin the bullion which they obtained from the Bank. Mr. Mushett, whose evidence respecting the coinage was worthy of attention, from its accuracy and general ability, had stated, that with a capital of 300,000*l.* the Mint could supply the public with 12,000,000*l.* a year. Yet a year was a long time to wait for twelve millions, and it might easily happen, that in the interim between the reduction of the Bank issues and the supply afforded from the Mint, the country might seriously feel the deficiency. It was on that account that he should have wished a resolution inserted, to compel the Bank to give its notes for bullion (at 3*l.* 17*s.* 6*d.*) on demand. With the exception of this omission, the plan was, in his opinion, perfectly safe and gentle.—With regard to what had fallen from his right hon. friend (Mr. Tierney) respecting the graduated scale of payments not having been submitted to the directors, he referred him to the examination of Mr. Thornton before the Lords' committee where he would see that that gentleman's evidence was wholly in favour of the plan. He was quite astonished that such an alarm prevailed at a reduction of perhaps one million in four years, and could only ascribe it to the indiscreet language of the Bank [Hear, hear!]. The hon. director had that night told them not to withdraw confidence from the Bank. The House did not withdraw its confidence from the Bank from any doubt of its wealth, or integrity but from a conviction of its total ignorance of the principles of political economy [hear, and a laugh]. The Bank had had ample time to reduce their issues, so as to lower the price of gold; yet, in spite of the times repeatedly fixed for the resumption of cash payments, they had never done so. It was not the business of the directors to consider the interest of the public. That was the business of his majesty's ministers; and when the hon. director told them that the directors had lost so much on the purchase of gold, and so much on the issue of tokens, his question was, why had they done so? Their business was with the interest of the proprietors, for whom they were trustees, not with the interests of the public. The directors were answerable to the proprietors for these misapplications of their funds. He (Mr. R.) had been astonished that the undivided profits of the Bank had been so small, which he should have imagined, must have at least amounted to ten millions; but now, by the confession of the hon. gentleman, the matter was explained. The directors had scattered a million here and a million there according to their views of the wants of the ministry or the country, without any regard to the interest of the proprietors [Hear, hear!]. The hon. director had advised them not to cramp the currency, and had referred to their experience of 1797. But that was not a parallel case. It was a season of alarm and panic, when every man had wished to have gold in his house in fear of an invasion. His right hon. friend (Mr. Tierney) had asked, what, under the plan proposed was the holder of 10*l.* to do, for he could not get bullion at the Bank. According to the amendment, the right hon. gentleman was in no great hurry to give this poor man either bullion or specie. But were they doing nothing by the plan for the holder of notes of 10*l.*? The holder of a 10*l.* note would be improved in his condition; for by restoring the currency to its proper value, and by making 1,000*l.* worth what it purported to to be, instead of what it now really was, worth only 970*l.*, his note of 10*l.* would be proportionally increased in value. Although he should not go to the Bank for gold, he might resort to any goldsmith who would let him have the proportion of gold to which his note was entitled; and the difference to him would be so trifling, as not to be worthy of consideration in the decision of a great question.—It had been said, on the part of the Bank, that they were ready to pay, if repaid the advances which they had made to the government. But how came they to make those advances to government, if not assured of repayment at a certain time? The Bank had not been forced to make those advances, but the directors had such an extraordinary disposition to act as ministers [a laugh, and hear, hear!]. It would however, be better if those directors would rather attend to their own interests, and those of their constituents. A most fearful and destructive depreciation had at one time taken place; but from that we had recovered, and he was happy to reflect that we had so far retraced our steps. We had nearly got home, and he hoped his right hon. friend would lend them his assistance to enable them to reach it in safety. He would venture to state that in a very few weeks all alarm would be forgotten, and at the end of the year, we should all be surprised to reflect that any alarm had ever prevailed at a prospect of a variation of 3 per cent in the value of the circulating medium. His own general opinion was, that an unfavourable state of exchange must always proceed from a redundant currency. If corn were imported and paid for in bullion it was a proof that bullion was the cheapest commodity. Suppose all the Bank-notes now in circulation to be withdrawn, and their place filled by gold coin, would not gold become infinitely cheaper? If our paper had been of any intrinsic value, it would, having become cheap from excess, have been exported also. He thought it right here to pay the tribute of his approbation to the late excellent regulations of the Mint. He entirely approved of making gold the standard, and of keeping silver as a token currency. It appeared to him to be a solid improvement in the system of our coinage. Nothing could be clearer than that government had the power, by limiting the quantity, to regulate the value of the silver; it was on that principle that the committee to all other persons recommended the reduction of paper currency. The hon. gentleman (Mr. J. P. Grant) indeed had observed, that the silver coin might be imitated abroad; supposing this to be the fact, the value of the silver coin might be lessened, but that of the gold would not therefore be raised. The silver was not a legal tender above 40*s.*, and gold might always be demanded. It was true that 105*l.* might be offered in silver instead of 100*l.* in gold; but this could have no effect in altering the relation between gold and all other commodities. He should be happy to argue this question with the hon. member or with the noble "Old Merchant," [a laugh!] on some occasion when it would be less irrelevant to the subject under consideration.—The hon. member sat down amidst loud and general cheering from all sides of the House.

Mr. Alderman *Heygate* then addressed the chair, but the impatience of the House produced a temporary confusion, in the midst of which, after one or two observations, the worthy alderman sat down.

Lord *Castlereagh* suggested, that as there was but little hope of the House being able to come to a decision on this important question that night, it might be more satisfactory to the worthy alderman himself that the debate should be now adjourned till to-morrow, when he would have a more favourable opportunity of stating his views to the House.

The question of adjournment was then put and carried, and the other orders of the day being disposed of, the House adjourned at two o'clock.

## HOUSE OF LORDS.

### *Tuesday, May* 25.

ROMAN CATHOLICS' RELIEF BILL—DOCTRINE OF TRANSUBSTANTIATION.] Earl *Grey* rose to submit to their lordships a bill to relieve Roman Catholics from taking the declaratory oaths against Transubstantiation and the Invocation of Saints. He presumed that no obstacle would be opposed to the passing of this bill, as it did not in the least interfere with any securities which some noble lords thought ought to be required of the Roman Catholics. It merely affected certain dogmatic opinions, and had no reference whatever to any question of supremacy, political or spiritual. Those who had most warmly opposed the motion of his noble friend near him (lord Donoughmore), had acknowledged the general good conduct of the Roman Catholics; and, confining their objections to the question of foreign supremacy, had expressed no disinclination to grant relief on any other point. He trusted therefore, that, consistently with the declarations made on that occasion, this bill would experience the general concurrence of their lordships. Its object, as he had said, was confined to points of faith, and touched in no way upon that question on which those who opposed the Catholic claims rested their objection. It tended only to relieve a respectable class of his majesty's subjects from the operation of laws, which, without even the pretence of necessity, cast an insulting stigma on their religious opinions. Their lordships were also aware, that in many instances Protestants had been very unwilling to take the oaths which it was his object to advocate. His lordship then presented a bill "for abrogating so much of the Acts of the 25th and 30th of Charles 2nd, as prescribes to all officers Civil and Military, and to Members of both Houses of Parliament, a Declaration against the Doctrine of Transubstantiation, and the Invocation of Saints."

The Bill was read a first time.

COIN OF THE REALM—LEGAL TENDER.] The Earl of *Lauderdale* was desirous that, at an early day after the recess, their lordships should have the opinion of the judges on the law relative to the coin of the realm considered as a legal tender and measure of value. The questions he wished to submit were—first, whether, after the passing of the act of 1774, the silver coinage of this country, subject to a depreciation of 20 per cent, was a legal tender by tale? Secondly, whether, under the act of the 56th of the king, chapter 68, the silver or the gold coin is the legal measure of value in this country? It was necessary that these great questions should be finally set at rest, and the public mind relieved from all uncertainty on a subject of so much interest to the country. Much depended upon what their lordships should understand to be the law with regard to the coin of the realm. If it should be decided, that the silver coin is a legal tender, that decision would have an important bearing on the measure which was expected to come before their lordships. He concluded by moving, that the judges be ordered to attend on Wednesday the 9th of June, and that the Lords be summoned for that day.—Ordered.

## HOUSE OF COMMONS.

### *Tuesday, May 25.*

BANK OF ENGLAND—RESUMPTION OF CASH PAYMENTS.] The House having again resolved itself into a Committee on the Reports of the Secret Committee on the Resumption of Cash Payments by the Bank, the adjourned debate was resumed.

Mr. Alderman *Heygate* said, he should experience great embarrassment in opening the debate, did he not feel the vast importance of the subject to the comfort and subsistence of the people, and that on such a topic the fascinations of wit and eloquence served rather to bewilder, than to guide the judgment. The question was one of practical importance and on which practical men were most competent to give that information which the nature of the subject required. There was no man in that House, or throughout the country, who more deeply regretted the present state of our currency than himself; no one who more deeply regretted our departure from its ancient standard. Had he sat in the House at the time that the Bank restriction act was first proposed, he should have opposed it, not only on account of the innovation which it constituted upon our former system, but on account also of the fatal consequences which he should have foreseen would inevitably follow. But that restriction was then the consequence, right or wrong, of a war which this country chose to wage, and which, had it continued one month longer would have been her ruin. On the subject before the House, he felt that the opinions he entertained, although they were lately those of parliament and of his majesty's ministers, were not such as were at present popular. He well knew that it was generally held, that our paper was depreciated to a certain extent. He could only say, that great as the authorities, and splendid as the names were, which were cited in the Bank report, as supporters of that opinion; yet his own research and inquiry, which had been extensive and unremitting, had convinced him, not only that no such depreciation did now exist, but that it never could exist. Before they proceeded to discuss the effectiveness and policy of the measure before the House, it was necessary that they should come to some conclusion upon the main question—Was our money depreciated or not? If that were true, then, indeed, they were called upon to devise a remedy for the evil. But if the great fluctuation, for instance, in the price of gold, which was in some instances one of not less than 18*s.* per ounce per month, resulted from causes that more or less affected the currency of every country, then it was hardly proper to interfere in the manner now proposed. Was the circulation of this country at the present moment excessive or not? If it was, there could be no doubt as to the immediate necessity of investigating and removing the causes of such excess; but if it was not, parliament should pause before it put in force legislative enactments which would occasion only the most distressing consequences. It could not be an excessive circulation, when it was remembered that it was now the same as in the year 1792. It could not be excessive, if a man considered the enormous increase of taxes and property: if he considered, that, taking the two periods, it would be found, that the revenue had increased from 16,000,000*l.* to 54,000,000*l.*; that the national debt had advanced from somewhere about 240,000,000*l.* to 800,000,000*l.*; that the number of large inclosures, docks, public buildings, and magnificent structures, had advanced in an equal ratio. When to this was added the vast and rapid increase of our commercial relations, he was sure no man could consider that the currency had not been enlarged, without astonishment. Great stress had been laid on the consideration of the superior rapidity with which a Bank note now performed its evolutions, as compared with the rate of its circulation in former periods. He thought that argument had received a satisfactory answer from the honourable Bank director on the preceding night, and he could not pretend to add any thing to what had already fallen from him on that subject. The fact was, that the difference was to be attributed solely to the alteration which had taken place in the mode of conducting the banking system. In the year 1809, it was supposed that the whole amount of Bank notes in circulation was not equal to the entire currency in 1792, and from this it had been inferred by the right hon. gentleman, that a much smaller quantity was requisite for carrying on the same number of transactions now than it was in 1792. The fallacy of this supposition arose from the wrong estimate formed of the circulation of the country banks, which had greatly extended itself in the intermediate time. With respect to the argument founded on a comparison with the price of gold, and implying that the price of gold might always be regulated by a reduction of paper, it appeared to him utterly erroneous. As an example of its fallacy, he would refer to the circumstances of November 1817, when the notes in circulation exceeded 29,000,000*l.*, and the price of the ounce of gold was 4*l.* 0*s.* 6*d.* Since that period there had been a reduction of the paper to the extent of 3,000,000*l.*, and yet the price of gold had, during nearly the whole interval and the progress of this reduction, been somewhat higher. He might, were he not afraid of wearying the House, mention a hundred similar instances, but one was sufficient for the purpose of his argument; for if such a result happened at one time, it might happen at any other. Gold at one period had been as high in the market as 5*l.* 4*s.* per ounce; and according to the principle contended for on the other side, it could only have been brought down to its present price, by a reduction of 30 per cent on the amount of paper in circulation. No such reduction had, however, taken place, and the price of gold had fallen to 4*l.* 1*s.* He hoped the House, therefore, would consider well what principle it was about to establish for the future regulation of the currency, and pause before they imposed on the Bank the necessity of constantly referring to the price of gold, as the only standard for the extension or diminution of its issues. It had been justly stated, that the circulation of the country banks was governed by, and dependent upon, the circulation of the Bank of England. Although he was aware that some persons dissented from it, he himself fully admitted the accuracy of this proposition. Let the House advert, then, to the internal state of this country in the year 1816. At that time paper was on a par with gold, and yet, such was the calamity, and so extensive the distress, at that unfortunate period, that it pervaded every part of the country. The land proprietor could get no rent, the labourer no employment, and bankruptcy occurred in all quarters. Now, admitting that by the next autumn the foreign exchanges should become favourable, the price of gold fall, and the harvest prove abundant; yet every prudent banker would limit his issues, and every prudent merchant and manufacturer his transactions, if the proposed plan should receive the sanction of parliament; and the consequence must be general embarrassment and distress. This anticipation was supported by all the evidence produced before the committee, and in a remarkable manner by that of Mr. Baring. No one could doubt the competency of that individual, who was perhaps the most enlightened merchant in Europe, to form a correct judgment on this subject. But if, on the other hand, the price of gold should rise, and the harvest prove unfavourable, the situation of the country must be more calamitous than any which it had yet experienced. Agricultural produce, although depressed, would be burthened with a weight of taxation imposed under a different system, and would be of less value than before it was imposed. All the industrious and commercial classes must suffer severely. The right hon. gentleman who moved the resolutions who had spoken with so much ability and eloquence on this question, and from whom he was sorry to differ in opinion, had eulogized the conduct of queen Elizabeth in having raised the value of money. There was, however, a great distinction between the period of her reign and the present. The country was not then burthened with a national debt of 800,000,000*l.*, and a revenue of 54,000,000*l.* What might have been a wise and just and magnanimous policy in that princess, might be highly disadvantageous at this moment. It appeared to him quite fallacious to suppose, that if the proposed plan were adopted, the price of gold would remain as it was at present; for who could say what the price would have now been, if the Bank had not sent into the market the gold which had been issued by them for the purposes of circulation? How did they know that in February next, the price of gold would be at 4*l.* 1*s.* per oz.? If any important events should occur abroad—suppose, for instance, the decease of the reigning prince in France—what security was there that foreign Jews, who well knew what a point the price of gold had reached a few years since, would not deem it a good speculation to make a run upon the Bank of England? In such a case, the situation of the Bank, and indeed of every country bank, must be full of difficulty and hazard. Their only chance of safety might consist in an appeal to parliament, which might not be sitting at the time, and which would naturally be reluctant to interfere, till great distress and inconvenience had been actually undergone. If, however, the recommendations of the report were adopted, every merchant, manufacturer, and banker, would regulate his dealings with a view to the possibility of such an event. There must, consequently, be but little employment for labour, and a great increase of the poor-rates. He knew this to be the feeling and expectation of a large portion of that part of the community engaged in carrying on our agriculture, commerce, and manufactures. With regard to the evidence produced before the committee, he admitted that it had been furnished by persons of great talents and respectability, but they were chiefly London merchants, Bank Directors, or dealers in bullion. None of them were engaged in agriculture or manufactures, and but one country banker had been examined. He did not think the House ought to legislate to this extent, and on a subject of such general importance, upon evidence thus circumscribed. The merchant was in a very different situation from the manufacturer or agriculturist. He had a control over his capital, and could speedily convert it, if it should be his interest or his pleasure so to do. This was not the case with persons engaged in other pursuits, and they stood, therefore, in need of farther protection. Much mischief had been done already, and there was a strong contrast between the state of the country when parliament assembled, and its situation since the appointment of the secret committees. At the former period, credit was high and commerce flourishing; at present, all was stagnation and distress. It was an error to suppose that this distress would soon be at an end. The fall in the price of the funds might be immaterial; but land and manufactures would not easily recover from this depression, at least unless the effects of this measure should be mitigated by a prolongation of the time when it was to be put in execution. Unless this was done, he was satisfied that by Christmas next, there would be no rents paid, and that the utmost pressure and calamity would be felt throughout the country. He did not wish to raise an unfounded alarm. He was stating his conscientious opinions, and should be happy to find that his apprehensions had been groundless. The only object of the new system was, to supply an invariable standard for determining the value of property; but if adopted without some qualification, no man could know what would be the value of his property in February next. It had been said, that before the restriction none of these evils were experienced; but he did not consider this statement correct; for in 1796 there had been very great fluctuations. There was, however, a material difference in the two cases. The mass of the circulation was at that time composed of gold, and there was comparatively but little paper for any sudden alarm to operate on. But in February next, nearly the whole circulation would consist of paper, and there would be but a very small quantity of gold to allay a panic if one should happen to arise. A run upon the Bank, under such circumstances, might compel it to stop payment in a fortnight. The country, which had so cheerfully borne the burthens of the war, did not deserve from government to be exposed to the hazard of losing its circulating medium. He had been astonished to hear from an honourable member (Mr. Ricardo), whose authority on these subjects he respected, an exhortation to the Bank to sell rather than buy gold, with a view to the commencement of this new system in February next. Many observations had been made on the condition of the labouring classes; but if that condition was worse than before the restriction, it must be imputed to the taxes, and not to the operation of that measure. It did not appear that the rise in the price of provisions was connected with the varying amount of paper in circulation; but, however this might be, those classes must suffer greatly by whatever should cause any sudden cessation of employment. He could not help thinking that the report was drawn up in a tone of too much interference with the affairs of the Bank, and that papers had been called for which belonged exclusively to the management of its private interests. The only inquiry which parliament was entitled to make related to the influence which the Bank exercised over the currency of the country. Now, the effect of this measure would be, greatly to increase its power over the currency. The circulation now amounted to 25,000,000*l.*, of which 20,000,000*l.* was issued upon exchequer-bills, and over this the Bank could exercise no control. But a repayment of 10,000,000*l.* was in contemplation; and it was supposed that this would be restored to the circulation through the medium of discounts to private merchants. The Bank would thus have the power of dispensing this enormous sum amongst such individuals as it should think proper, and he would venture to state, that such a power never was before vested in the hands of any commercial body. He should support the amendment for postponing the period for commencing bullion payments till February 1821, in preference to the original resolution; both because the enlarged time would afford farther facilities for a change of system, and because he did not admit the policy of declaring to all Europe, that our paper currency was depreciated. With regard to the sincerity of the Bank, there could be no reason for entertaining a doubt, after what had been done by the committee, and said in that House; and he thought some portion of that confidence which had been hitherto reposed in them was still due. If they were unworthy of that confidence, they were unworthy to carry on the affairs of the Bank of England. He would only add one word more. If government had earlier paid the advances made by the Bank, the Bank would earlier have resumed cash payments; but since that had not been done, it was unfair to blame them for having delayed that measure so long. They were now called on to adopt this measure, before any preparatory steps had been taken for carrying it into execution. In his opinion, a part of the unfunded debt ought to be funded; and we should have ceased to make loans and increase stock before this plan was resorted to. In what he had said, he had been actuated solely by a deep and solemn conviction, that those who had studied this subject had been guided too much by theory and too little by practice. Let the House consider what the nation had suffered, and what burthens it was at present bearing. He was aware that it was now a fashionable doctrine, that great burthens were to be borne for the sake of the great benefits which resulted from the measures that rendered them necessary; and that it was also fashionable to represent the evils of our present situation as arising from over trading; but if there was at present a system of over trading, it had arisen from the measures of government, which had afforded too great facilities to speculators. He wished to create no unnecessary alarm; he had stated his fears boldly and plainly, that they might be set at rest, and should sincerely rejoice to find them groundless. He could not say less consistently with his sense of public duty at this great crisis, and should look back upon the part he had taken in opposing this plan, with more satisfaction than to any other event of his life. He still hoped that ministers would abandon the graduated scale, and concur in that part of the amendment.

Sir *H. Parnell* said, that he felt the propriety of stating the grounds upon which he was urged to oppose the amendment proposed by his hon. friend the member for Coventry, and supported by his right hon. friend the member for Knaresborough. Having for a series of years given all the consideration in his power to the question before the House, he thought it his duty to make some remarks upon the present occasion. As to the speech of the hon. member who spoke last, as nearly the whole of it was founded on the assertion, that there had been no depreciation of the Bank paper currency, no one could expect that at this period it could be necessary to go into any elaborate disquisition to reply to it. Those, indeed, who were not already convinced, by the facts adduced and the arguments advanced in that House, could be little likely to attend to any farther elucidation. In respect to what the hon. member had said of the probable bad effects of the proposed plan, the whole of his case was founded on a misrepresentation of the plan, and upon a supposition that things would certainly happen, that never could happen. But to return to a consideration of the merit of the amendment; it was quite a fallacy to maintain that which was offered in its favour, namely, that the effect of the prescription to pay Bank notes in gold, at the rate of 4*l.* 1*s.* an ounce, would be to introduce a new standard of value, because the rate of 4*l.* 1*s.* an ounce was only the relative value of gold to Bank notes. By the restriction act of 1797, we had suspended the legal standard of our currency, and we had no standard now, nor should we have one, until an act passed distinctly to alter the standard. But the very terms of the Resolutions with respect to the just period of payment in gold, decidedly negatived the notion that any idea was entertained of establishing a new standard of value. His right hon. friend had observed, that circumstances might arise before May, 1821, which might induce those who were the warmest advocates of the old legal standard, to change their opinion and to agree to alter the standard to 4*l.* 1*s.* an ounce; but he could not contemplate the probability of such circumstances, after parliament had so long resisted all temptations to alter it; and therefore he could not accede to the amendment upon any ground of that nature. The fact was, that if this amendment were adopted, and the Resolution to which it referred expunged, the country and this question would be in the same state as both were at the commencement of the session. But parliament was called upon, by every consideration of policy, to make a distinct declaration of its desire, that the Bank should make payments in cash as early as possible, and that preparations must be made for a complete resumption of cash payments. If indeed parliament declined to pursue the course recommended by the Committee, the resumption of cash payments would be left to the discretion of the Bank, as on former occasions: and it was impossible that, from former experience, such a course could inspire confidence, or afford any satisfaction to the country. For if the discretion were left exclusively to the Bank to prepare for cash payments, there could be little doubt that they would contrive to render the exchanges unfavourable, and to raise the price of bullion a few months before May, 1821, or any other given period, and so to provide as good a case to call for the continuance of the restriction, as was brought forward at the commencement of this session. The project of the committee was, however, to deprive the Bank of this discretion, and in the policy of that project, he entirely concurred. The operation of the resolution to compel the Bank to pay at 4*l.* 1*s.* per ounce, would be to establish a positive limit to their issues; for if an excess of paper were issued so as to raise the market price above 4*l.* 1*s.*, the Bank would buy bullion at a loss, an event they will carefully avoid. But it was not proposed in this project to produce any thing like a precipitate resumption of cash payments, as the worthy alderman, who spoke last, seemed to imagine. For all the evils which the worthy alderman so emphatically described, could only be apprehended from a precipitate or immediate resumption of cash payments. Among what had been disclosed in the course of this discussion, he declared himself peculiarly gratified to witness the general acquiescence in those sound principles which were to be found in the Report of the bullion committee of 1811. Concurring, as he did, at the time, with the wise principles of political economy which that Report embraced, he was happy to find them now recognized by those who had the power to carry them completely into effect; because he was thoroughly satisfied, that the adoption of any system contrary to those principles, must be most injurious to the permanent and the best interests of the country. This triumph of sound principles of political economy was not only valuable for its present purpose, but for the effect it would produce upon all new measures of legislation connected with these principles. It would lead to clearing the Statute book of many most mischievous laws, and to prevent the adoption of many schemes founded on private and partial interests, and wholly inconsistent with the public interest. With respect to the operation of the plan brought forward by the Committee, it was a mistake to suppose that the adoption of that plan could serve to injure the interests of trade, as the only effect of it, relative to trade, would be to diminish that capital which was founded on fictitious credit, or to reduce overtrading; and every considerate friend to the real interest of the country, must wish for such an effect. Another error was expressed in the course of these discussions which rested on an apprehension of the consequences of a reduction of the circulating medium, through the adoption of a plan producing a scarcity of money. This error was founded upon a most mistaken conception of the character of a circulating medium, for what was called in trade a scarcity of money, did not depend on the numerical amount of the circulating medium, but upon the state of the markets. If markets were high, there was a ready sale of goods, and plenty of money. If markets were low, no goods could be sold except at a loss: every one was trying to borrow, who held goods, to enable him to postpone selling them, and thus the number of borrowers exceeded the number of lenders, and produced a scarcity of money. If such a scarcity was to occur, it would be owing to the effect of the plan on the markets, and on commercial credit, and not to its effect in diminishing the circulating medium. The plan certainly might affect credit, by diminishing discounts, this was the only bad effect to be apprehended from it: but if the Bank acted wisely, and did not diminish their discounts, or their paper, but rather increased both for some time to come, no harm would be the result. There was another subject so connected with the question before the House, that he thought it peculiarly entitled to the consideration of parliament. He meant the usury laws. For it was evident; that if those laws remained in their present state they must operate very injuriously with regard to the supply of capital for the purposes of trade, by diminishing the means of obtaining discounts. Had the banking concerns of the country been carried on on the same principles of competition as prevailed in Scotland, the embarrassments of the present period, as to the nature of the engagements between the government and the Bank, would not have existed. He trusted therefore that when these transactions should hereafter engage the attention of parliament, measures would be taken to prevent the recurrence of such difficulties, by putting an end to the Bank monopoly; and that the whole conduct and general management of the banking operations of the country would not be suffered to continue exclusively between the government and one establishment composed of a few individuals. He should regret to see the amendment of his hon. friend carried, instead of the Resolutions of the right hon. gentleman. Should those resolutions be negatived, he despaired of ever seeing the ancient standard of value restored.

Mr. *Gurney* said, the House had resolved that it was expedient to return to specie payments as early as should be practicable; and they were now called upon to adopt the plan of the member for Portarlington, which went to provide that there should be no specie at all. The right hon. mover had professed himself unable to form an abstract idea of a pound sterling; and he proposed that the holder of a pound note should rest his confidence on an abstract idea of some other man's power of abstracting from the Bank a portion of its gold for the purpose of exportation, to no participation of which was his note to give him any title. The right hon. gentleman had, in no part of his speech, produced more effect, than by his citation from the 231st, 232nd and

233rd pages of lord Liverpool's Book on the Coins of the Realm, wherein he stated, that amidst difficulties and dangers, in war and in pressure, the coinage had been restored from great depreciation by Edward the 1st, by Elizabeth, and by William the 3rd. But had the right hon. gentleman only looked to p. 30 of the same work, he would have found, that Edward the 1st was the first sovereign, who, in his 28th year, diminished the weight of the coin, and reduced the pound sterling; that Elizabeth did nothing more than carry through the measures of the last year of Edward the 6th, when the right hon. gentleman would have found in page 92 of the book he has quoted, but it should seem rather cursorily read, that Henry the 8th having begun the system of debasing the coin in his 18th year, the ministers of Edward the 6th thought it too violent a measure to return to the pound in tale, as it stood before the debasement of the standard of the silver of which the coin was made; and therefore cut the pound Troy into 60, instead of into 45 shillings as before; the operation being executed, as lord Liverpool says, to the general satisfaction of the public; the fact being simply, that the adulteration, not the diminution of the coin, was the evil remedied; and that there was no great shock of values. These monarchs had no debt of 800 millions. The subject was tributary to the crown, not the crown to the subject; and the coin, if once improved, in so much improved their revenue, at every return of it to their treasury. William the 3rd certainly did restore the silver to its weight; and resorted to the expedient of a funded debt to support the measures of his government.—Mr. Gurney said, that he could not but adhere to the opinion he had expressed before, that the restriction had been caused by the growth of that debt, to an amount at which it could not be borne at the old values—that the remunerative price of every production had necessarily increased under increased taxation; and, though not in the same proportion, yet that the price of gold and silver had risen with that of other things.—The government at the peace had, in his opinion most wisely, put forth an excellent silver coinage, which was satisfactory to every body, cutting the pound Troy into 66*s.* instead of 62*s.* and he believed in his conscience, that if they had only put forth the sovereign at 21*s.* instead of 20*s.*, we should have heard of none of these revulsions, and difficulties, and alarms—that it would have been a measure of equal and substantial justice—and that all we have seen and all we have suffered from these repeated fluctuations of credit and consequent derangement of the saleable prices of all commodities, was to be attributed to this erroneous determination, that an ounce of gold should, under the taxation of a debt of 800 millions, pass for no more than 3*l.* 17*s.* 10½*d.* happen what might—from whence the necessary consequence has followed, that it has gone where it would purchase more.—The hon. member for Portarlington had stated the present difference to be only 3 per cent; but that merely proved the depression of price in all other articles; and it must be obvious that under this depression we could not go on—whilst the encouragement offered, was a three years' gradual enhancement of the value of the currency, which was equivalent to working upon a three years falling market; and instead of three per cent, he feared we must calculate whether our farmers and manufacturers could afford to drop 20 per cent upon their prices, and pay their taxes, their workmen, and their rents.—It had been objected, that an alteration in the standard would be a fraud on the national creditor—but, to say nothing of the comparative amount borrowed since the restriction, it should be recollected, there are two parties to a bargain. Had the national creditor called for this? How much of his capital had he lost already, even by the discussion? Had he thought this project really so beneficial to him, 3 per cent consols should have risen to 100 instead of falling to 66. But the national creditor saw, that encreased pressure on those who must pay him his interest, lessened his security; and he would gladly continue to take his share, in a currency somewhat diminished in value, together with his neighbours—rather than risk the consequences of being exempted from that, which in fact, had operated as a kind of property tax on every man in proportion to what he had to receive; and which had ensured the regularity, if it had lessened the efficacy of the stockholders dividends.—As to the account between the government and the Bank, it seemed to be this: of 25 millions of Bank notes now in circulation, 20 millions were issued in advances to the government. The government had originally imposed the restriction on the Bank, after having drained its treasure for foreign subsidies. The government had been throughout the borrower. The government had urged, and led the Bank—often unwilling—to extend its paper for their accommodation; and now the government turns round on the Bank and says, "We will pay you back half the accommodation paper, we have fabricated between us, and you must find all the bullion, which the public may want to supply its place, or the place of the coin which we have exported, or the public must adjust its reckonings as it can, without either Bank notes or gold." Whether this was very just, or very practicable, or very prudent if it were practicable, is one question—but the question before the committee is, whether they shall adopt resolutions which, shift the matter as you may, come to this—will you at this moment indefinitely increase the weight of your taxation, and diminish the means of bearing it, by cramping your present circulation, without the immediate substitution of a better in its place; and thus forcibly bear down your prices, to the certainty of producing an embarrassment and distress, of which it is not easy to foresee the issue?—Mr. Gurney apologised for thus standing forth against the current of prevailing opinion, and stated, that of the two propositions before the House, he should vote for the amendment of the member for Coventry; as it at least gave time for a revision of the Mint regulations; which, in his view of the subject, was the only measure which ought to be adopted.

Lord *Folkestone* observed, that he had that morning referred to that most excellent work, alluded to in the speech of the right hon. gentleman (Mr. Peel) last night, the work of the late lord Liverpool on coins; and he felt it necessary to say, that a different interpretation was given by the right hon. gentleman, both to the principle acted upon when the standard of value was fixed in the reigns of Edward the 1st, and queen Elizabeth, and to the observation of lord Liverpool thereon. It was true, that the measures of that period were the subject of rejoicing with the country, but it was not that the standard of value was raised, but that a fixed one was adopted. The great evils then felt, were similar to those under which the country during the Bank restriction suffered, namely, that nothing was certain or permanent, but that the standard fluctuated with the wants and distresses of the government. Queen Elizabeth had only followed up the course commenced in the reign of her brother Edward 6th, who, though he lowered the standard, put an end to the uncertainty; and it was observed by lord Liverpool, that she did so in an inferior manner. The cause of the measure was, that the want of a certain standard of value occasioned frays at fairs and markets, and the people were glad to come to any fixed and settled principle, by which they might know the intrinsic worth of what they possessed, and thus be freed from those frequent occasions of quarrel.—He objected to the plan proposed in the resolutions of the right hon. gentleman, but not upon the principle. No man felt more strongly the solidity of the grounds on which the report of the bullion committee were founded, however feebly he might have given expression to that opinion; he did not, therefore, differ as to the principle of those resolutions, but he quarrelled with the mode in which it was to be carried into operation; he did not quarrel with the substitution of bullion for specie, on the contrary, he approved of it; but he disapproved of what he considered the positive injustice of returning to the ancient standard value. The general change of opinion that had taken place amongst those who on former occasions denied the validity of the arguments of the bullion report, was a convincing illustration of the advantages of public discussion on such questions. This remark he could not help applying to the worthy alderman who had opened the discussion this evening, and who had advanced opinions completely contradictory. Although strong opposition might be made to truth while prejudice prevailed, yet truth always prevailed; and he had no doubt that the worthy alderman, by exercising the ingenuity and candour which he evidently possessed, would bring himself to adopt that which he now opposed. The worthy alderman had denied that paper had been depreciated by the issues of the Bank, and yet at the same time admitted that the gold paid by the Bank had been raised in value, and sent out of the country by the issues of the Bank. The Bank had paid gold, and at the same time issued their paper; the paper, not being able to go abroad, as having no independent value, remained in this country, necessarily depreciated; and thus the proposition which the worthy alderman had denied, that paper had been depreciated, was established by the very fact which he had argued upon, that the gold had been driven out of the country by the issues of paper. He was sorry that the right hon. gentleman (Mr. Peel) had said, in making a manly confession of his error, that he felt no shame or regret in doing so. When the right hon. gentleman had so forcibly and justly described the great distress which the system occasioned, and when he had at the same time recollected, that he had always given his vote to ministers in resisting that inquiry which had been again and again called for from his lordship's side of the House, he could not help saying, that the right hon. gentleman might have spared a little regret, if not felt some shame, that he had assisted in resisting inquiry, and refusing the relief which was required. What were the opinions of the right hon. the chancellor of the exchequer, no man could tell. He adopted these resolutions, and yet he told the House that he retained all the opinions he had ever entertained on the subject—opinions diametrically opposite to the resolutions. The right hon. gentleman had not explained how this could be; and it was extremely difficult to conceive how the resolution declaring a one pound note and a shilling to be equal to a guinea, recorded in that House, and the resolution giving 4*l.* 1*s.* for an ounce of gold, could be entertained at the same time by the same unchanged mind [a laugh]. He knew not whether the noble lord near him (Castlereagh) had changed his opinion; but he did recollect that, on a discussion in that House, in the year 1804, on the Irish currency, when it was proved that the exchange between Dublin and London, where the currency of both was paper, was between five and six per cent below par, and when the exchange between Belfast, where a metallic currency existed, and Dublin, was six per cent above par in favour that Belfast, the noble lord had argued that such effects did not prove that the Irish paper currency was depreciated. He would be glad to hear how such a contrariety of opinion as the adoption of these resolutions manifested, could be reconciled or explained. He hoped the noble lord would give the House more information on this point than the finance minister had thought proper to do. His objection to the mode of recurring to cash payments, which the resolutions embraced, was, that it would occasion a degree of distress to the country which ought not to be inflicted at any time, and least of all in the present time of pauperism and wretchedness. It would raise all money payments about 3 and ½ per cent. At that rate would the interest of the public debt and all fixed salaries be increased. He objected, too, to the repayment at this time of ten millions to the Bank. This sum could not be repaid but by a loan. A loan, it was believed, was to be contracted for to the amount of 22,000,000*l.* By raising the public debt at the rate of 3½ per cent, the country would have to pay 1,500,000*l.* more of taxes, the interest of the loan of 22,000,000*l.* would impose another million; and thus the country would in effect have to pay 2,500,000*l.* more in taxes. He put it to the House whether the country was able to pay so great an increase of taxes as 2,500,000*l.* This increase of burthen, too, was to be imposed at the time when the depression—although he did not believe that so much depression as some gentlemen represented, would be occasioned by the resumption, and its preparatory arrangements: yet he was convinced some depression would be occasioned—this increase of burthen was to be imposed when this depression made the country still less capable of bearing it.—It appeared to him most desirable, that in place of reverting to the ancient standard of value, that the present rate of depreciation should be taken, and the standard fixed in place of 3*l.* 17*s.* 10½*d.* at 4*l.* 0*s.* 6*d.* It would be said, that such an arrangement interfered with all existing contracts. He doubted the fact. The greater portion of these contracts must be supposed to have occurred within the last 22 years, the period when the suspension of cash payments commenced. As to any transactions since 1797, they had been entered into in a depreciated currency, and in that currency ought payment to be made? Since 1797, the currency had been often depreciated more than at present, sometimes even to 25 per cent. In contracts between individuals, there would therefore be more injustice in recurring to the old standard than in retaining the present depreciated standard. The same observation applied to the public creditor. The greater part, by far, of our debt had been contracted for in depreciated currency. It was very hard to call upon the country to pay for this debt in coins of the ancient standard. It was true, injustice would be done to the creditor who had given the loan before 1797, but there was injustice in all cases, and his plan contained the less and avoided the greater injustice. By this plan, too, the objections of the hon. director (Mr. Manning) and other gentlemen would be met, who complained of resolutions that went to fix a rate for future transactions, while many unforeseen circumstances might render that rate extremely unjust. It was one great additional argument in favour of the plan, that it would facilitate the operations recommended in the resolutions, and shorten the time for final resumption. It also took away all pretence for ascribing difficulties that might arise to the return to cash payments. Any distress that might be occasioned by a stagnation of trade, or by overtrading, which he believed was the cause of much of our present distress, would be ascribed to the measures for the resumption of payments by those who now deprecated the resumption, and whose clamour would, on the pretence that every distress arose from those measures, increase till they could ultimately prevent the recurrence to cash payments. The graduated scale recommended in the resolutions he thought extremely objectionable. 4*l.* 1*s.* was the highest rate of payment, the lowest was 3*l.* 17*s.* 10½*d.* Great difficulty would be occasioned by this in all contracts. A lease would be taken when the rate was 4*l.* 1*s.*; in the course of three years, the rate would be 3*l.* 17*s.* 10½*d.*, the rent would be increased 3 or 4 per cent. Again, a gentleman would borrow 1,000*l.* when the rate was 4*l.* 1*s.*; at the end of three or four years this gentleman would pay interest for more than the 1,000*l.* which he had borrowed. He felt, he admitted, the force of the objection against the legislature acknowledging the depreciation of paper. It was an undeniable fact that it was depreciated, but ministers had formerly, in folly, denied this fact, and ministers now wished to establish it in injustice. The legislature could not without not only inconsistency, but injustice, acknowledge the depreciation, unless his amendment was at the same time adopted. This amendment would compel the Bank to fall in with the views of parliament. The Bank would, he apprehended, act now as they had done in 1816. He could not see how the proposed resolutions would convince the directors that parliament was in earnest in the desire to return to cash payments, since, in 1816, no such conviction had been impressed on them. In 1816, it was well known that, in a full House, every speaker had been puzzling his brains how he could most strongly express the determined anxiety of parliament to return to cash payments at the end of two years. The directors at that time, expressed the utmost anxiety to resume their payments in cash, in two years. After the bill passed, they took measures to effect that object, and things were in a very promising train. The exchanges were favourable, and gold was so much reduced in price, that the Bank purchased a greater quantity of treasure than they ever had in their possession before. But, just as the time for resuming cash payments arrived, they completely overthrew the scheme—they issued a great quantity of paper and a considerable portion of gold. The exchanges became unfavourable—the gold went out of the country—and the directors ultimately came to parliament, declaring that the Bank would be ruined, if payment were insisted on. What was there, he should be glad to know, in the present plan, to prevent a similar course of operation? The Bank might go on purchasing treasure—they might place themselves in the situation in which they stood in 1817—and, by a fresh issue of gold and paper they might ultimately defeat the object which the committee had in view, as they had done in 1818. An hon. director had declared last night, that the Bank were sincere in their desire to pay in cash. He doubted it. As a proof of their sincerity, he had stated, that they paid away 7,000,000*l.* of gold, at a considerable loss. Now, the House might infer, and fairly infer, that, while the Bank were losing by the issue of gold, in their capacity of Bank directors, they were gaining a very great profit, by the sale of that article, in their capacity of bullion merchants. In the paper which the Bank had sent in to the committee, in answer to certain questions propounded to them, they said, that, before they resumed cash payments, they ought to have as much gold in their hands as they possessed when the Restriction act was passed, which was about 30,000,000*l.* exclusive of what they might afterwards be called on to pay for the notes they had at that time outstanding, being about 11,000,000*l.* Mr. Baring was of opinion, that they ought not to resume cash payments unless they had from 40 to 45,000,000*l.* in their coffers. Now, in 1817, the

Bank stated they had a greater quantity of treasure than they ever before possessed—say 40,000,000*l.* They said, at present, they ought to have gold to the amount of 30,000,000*l.* and a surplus to pay their outstanding notes, before they resumed cash payments—and to collect this they called for a delay of four or five years. They had used but 6 or 7,000,000*l.* for the exchange of notes. If, therefore. they had got rid of all this mass of treasure, it was clear that it must have been by some other operation than the payment of their notes [Hear, hear!].—They had bought gold at 3*l.* 18*s.* 6*d.*—but, after the operation they had performed in 1817, gold rose in price—and, though they declared that they lost 9*d.* on every sovereign they issued, there could be no doubt but that as bullion merchants, they made a great gain on the sale of a large quantity of bullion [Hear, hear!]. Therefore, he doubted their sincerity—for it appeared to him that they had a clear and manifest interest in the fluctuation of the price of gold. The hon. director last night complained of the want of confidence in the Bank. He had, two or three times in the course of his speech, declared, that if they withdrew their confidence from the Bank, the greatest calamity would befal the country. He must confess that he had not any great confidence in their wish to resume cash payments—and he conceived they had an evident interest in abstaining from them. On another ground, he thought they did not deserve confidence—they had no fixed or settled plan for carrying on their affairs. In 1816, when the subject of the restriction act was before the House, it was debated whether the Bank might not return to cash payments at their own pleasure, on giving notice to the Speaker, without any interference on the part of the House. He thought this object might be effected without giving any public notice. The chancellor of the exchequer said he had no objection, provided the Bank had none, and referred him to Messrs. Harman and Owen, the governor and deputy-governor of the Bank. He showed them the clause, to which they objected. He asked them their reason; they answered, it was giving them a discretion which they did not wish to have. His observation was, "that they might or might not exercise the power it gave them, as they pleased."—"No!" said they, "it is quite impossible—we will have no discretion. We wish to be in the hands of parliament—and, if you give us this discretion, we must pay in gold the next day." What was their conduct now? They were crying out for discretion. Where then was their sincerity?—where their anxiety to pay in cash? Some years ago, a bill was passed in the House of Lords, in consequence of lord King's requiring his tenants to pay in gold, deducting a certain sum for the depreciation of the paper currency at the time. The bill to which he alluded went to make Bank notes, to a certain extent, a legal tender. That bill, when it came before the House of Commons, he (lord Folkestone) had resisted; because he looked upon the plan adopted by lord King, as a sure mode of preventing all the gold from going out of the country. It would, indeed, have had the effect of creating two prices; but still it would have preserved a portion of gold in the country. The Bank directors came down, and supported that bill, tooth and nail. The alarm which the proceeding of lord King produced, proved the depreciation of the Bank paper, which they denied—but still it secured the means of bringing about that object which they always declared they had in view, namely, the resumption of cash payments. They, however, supported the government measure, and this circumstance, combined with others, led him to place very little confidence in the Bank. He believed they would use their efforts to obstruct a return to cash payments; and, by the proposed plan, they were allowed a term of four years in which to accomplish their object. If his plan was adopted of fixing the period at which cash payments were to be resumed, and allowing the Bank to pay in gold at any intermediate period, it would, he had no doubt, have the effect of reducing the market price of gold much below its present rate. He did not mean to oppose the principle of the proposed plan. He had entertained similar opinions to those which it contained, from the time he was first able to form an opinion on the subject. It was impossible to overthrow the principles upon which it was founded, and of this every member would be more fully convinced, the more he turned his mind to the subject. When he mentioned cash payments, he begged to be understood as meaning bullion payments; for he was of opinion, that it would be better if the Bank was never to pay in cash. He did not mean to fix the amount in notes for which bullion was to be given—whether it was to be at the value of sixty or of thirty ounces was not the question; but he thought it would be better if persons desirous of obtaining gold coin should have the option of procuring a certain quantity of bullion at the Bank, and of getting it coined into the metallic currency of the country, deducting, if necessary, a seignorage to a small amount, for the expense of such coinage. He hoped the House would calmly consider what he had thrown out, before they adopted the plan proposed by the committee in its present form.

Mr. *Cripps* said, that the arguments against the principle of the present measure, had been so fully met last night, that it was unnecessary to say any thing more on that head. The House had heard much of the alarm which prevailed on this question. Now, whatever was the cause of this alarm, it was the duty of the House to allay it as soon as possible. It was admitted on all hands, that whenever a measure of this kind was adopted, it would produce a shock in the country; and if so, it was the duty of parliament to render it as slight as possible. It had been the fashion of late to abuse the Bank directors and the plans adopted by them for some time past. The noble lord who spoke last was of an opinion, that the Bank directors would use their efforts to prevent a return to cash payments. He wished to know how the Bank directors could be so far interested as to do this? If it was shown to him that the directors were holders of Bank stock to an immense amount, he would agree that they had an interest in opposing such a measure. But the fact was otherwise. There was not a single director who was a holder of stock to a larger amount than was necessary by the charter, to his filling his situation. If there was any direct or tangible charge to be made against the directors of the Bank, let it be brought forward; but let them not be attacked on such vague and indefinite grounds as those already stated. When the Bank had issued between six and seven millions of specie, at a loss, he could see no reason for suspecting that they were not sincere in their desire to resume cash payments. The experiment had been tried, and had failed. It was then very easy to say, "this is a bad measure." But, if the Bank directors had previously come to the House and said, "Is it not better, before we proceed to a general measure, that we should see what effect will be produced by the payment of a part of our notes in specie?—Would not that proposition have been considered a most desirable one, every way worthy of adoption? He was sure that the shock which they dreaded to the public interests was the sole motive of their conduct, and that they would endeavour to accomplish the object of a return to cash payments without being bound to the intermediate measures proposed by the committee. With this conviction, he would propose an amendment to soften down the harshness of the plan, and to lessen the shock which it was occasioning. The argument in favour of the intermediate measures was, that by taking the price of gold at 4*l.* 1*s.*, and 3*l.* 19*s.* 6*d.*, it would not be demanded. He had heard to-day that gold was down to 4*l.* an ounce, so that the prospect was likely to be realized. But why impose upon the Bank directors the necessity of regulating the exchanges, which might depend on other causes than their issues? or show a distrust in their sincerity, which was by no means warranted? That they wished to return to cash payments was proved by the experiment which they made in 1817, so much to their own loss. The experiment had failed; but it proved their sincerity. There had been a great deal said in the discussion concerning restricted issues, and a forced circulation. He denied that the Bank had created or could create a forced circulation. If they issued their notes only on approved rules and on good credit, how could they be said to force the circulation? The only mode of supplying the currency was by the discount of bills (he did not allude now to advances on government securities); and if the directors said, upon their honours, that they discounted no bills on doubtful credit, or for periods longer than 60 days, how could they be said to send forth more notes than were necessary to carry on the commercial business of the country? or, in other words, how could they thus create a forced circulation? On the subject of restricted issues, there was a great and a prevalent misapprehension. A restricted issue could only be a refusal to discount good bills at legal dates; and such a restricted issue, it would easily be allowed, must be injurious. The hon. gentleman, after several other observations on this subject, and on the state of country banks, proceeded to say, that as the country desired a return to cash payments, that return should take place with as little injury as possible. He would therefore propose an amendment on the resolutions of the hon. gentleman (Mr. Ellice) who moved an amendment last night on the original resolutions. Like him, he would move that the 4th and 5th of the original resolutions should be erased: but he could not agree in the proposal of the hon. gentleman to make a legislative enactment compelling the chancellor of the exchequer to pay the 10,000,000*l.* to the Bank at definite periods, and by fixed instalments. The chancellor of the exchequer was unworthy of his situation, if he could not be trusted with doing what was best for the public service. He therefore proposed that the words of the fourth and fifth resolutions be expunged. If alarm had been created, it was desirable to allay that alarm. He did not entertain a doubt that the Bank would prepare for resuming cash payments at the time fixed by parliament, without being bound to pay in bullion by the graduated scale of the intermediate period.

The *Chairman* said, that the best course for the hon. gentleman to pursue, with respect to his amendment, as there was already an amendment before the committee, would be to vote against the 4th and 5th resolutions, when the question was put upon them.

Mr. *J. Smith* said, he never contemplated any question with half the anxiety with which he approached the present. Though he approved of the resolutions, the course which he should have recommended would have been that of continued confidence in the directors of the Bank. He did not deny that they might have committed errors; but when he looked back on their past conduct, he saw much to approve, and little to censure—much to excite gratitude, and nothing to destroy confidence. He would not say that they had saved the country during the war; but he would say, that by the assistance they lent at critical periods, they had powerfully contributed to its preservation and glory. He, therefore, could hear nothing against them without interposing his feeble tribute of applause. The reports in circulation against them were as false as they were injurious. In their mode of conducting the business of the establishment they had shown no personal selfishness. He might mention, what he believed the country did not know, that there was not one of the Bank directors who held more Bank stock than barely entitled him to be elected to the office in which he was placed. They managed, therefore, the affairs of others with only a small stake themselves in the interests which they superintended. Speaking on this subject with a friend in the direction, that friend said that it was a misfortune to him to be a Bank-director, as otherwise he might have become rich by being a proprietor of stock. This tribute was due to a body of men whose characters had been grossly misrepresented. With respect to the plan to be adopted, he, when examined before the committee, gave it as his opinion, that it would be advisable to fix a certain period for resuming cash payments, but at the same time to allow them the option of paying in specie at any intermediate period, if they thought it expedient to do so. He felt obliged to the committee, as the House and the country must do, for the labour and attention which they had bestowed in inquiring into this subject; they had decided differently from his opinion, but he was not inclined to find fault with the decision to which they had come. The House were told that this question caused great alarm in the public mind; he did not know how this alarm was caused, but it certainly could not be by the plan now under consideration. An alarm might be caused by any attempt to resume cash payments, or to pay in bullion at certain prices. For himself, he wished the proposition had come originally from the Bank, and if it had, he was convinced that no alarm of this kind would have prevailed. What was the present plan? It was that bullion was to be issued at a certain period; and unless some very strange and unexpected event took place, there was no chance of the Bank being called upon to advance any bullion at the rate of 4*l.* 1*s.*; as who would attempt to speculate in gold, when they knew that it was to be issued at a certain period by the Bank? He would be as apt to feel alarm as any man, if he saw cause for it; but when he saw that even now the exchanges were becoming more favourable, such an apprehension was perfectly groundless. From the evidence of the hon. member for Portarlington (Mr. Ricardo), who was so fully competent to judge of this and all other measures of political economy, it appeared that the Bank would require very little if any additional bullion to carry the present plan into execution.

He confessed, however, that he felt surprised at an argument used by one of the Bank directors, that the Bank would require as much bullion now as if they were to pay their notes at 3*l.* 17*s.* 10½*d.* in February next. From this it would appear as if the Bank intended to purchase gold, and by raising the market price against themselves, cause the difficulty which was urged against cash payments on former occasions. He, on the contrary, was of opinion, that supposing no uncommon occurrence to happen, it was impossible that a single ounce of gold should be required from the Bank at 4*l.* 1*s.* Nobody would buy dear to sell cheap. The alarm was therefore perfectly groundless. He did not know what it meant. Was a return to cash payments, a return to a standard of value, an evil to be dreaded? No drain of gold could take place: the alarm ought, therefore, to be dispelled. Those who felt it, reasoned as if the Bank ought to have as great an amount of gold on the 1st of February as if it was then to resume cash-payments. This was a mistake; the less gold the Bank bought the better, if they could keep it below 4*l.* 1*s.* per ounce; as they might by coming into the market for large purchases raise the price. If that were true, the Bank might purchase gold and raise the market against themselves. This was what could, and what was in reality calculated to raise the alarm of which so much had been said. If he were to advise them, he would say that there was no necessity for the purchase of a single pound of bullion at the present moment by the Bank. The House was aware, that the Bank had, in 1817, a greater quantity of treasure than at any former period. It was known that about 6,000,000*l.* of this had been issued; the Bank must therefore have a large balance of gold in hand. There was one recommendation of the committee on which he wished to offer a few words. It was that of paying a sum of 10,000,000*l.* to the Bank. In looking over the evidence, he found that a great variety of opinions prevailed as to the sum necessary for the circulation of the country. Mr. Harman was of opinion, that 20,000,000*l.* would be sufficient. If the Bank was paid a sum of 10,000,000*l.* of the debt due to it by Government, so much must of course be taken from the circulating medium of the country. How was this void to be filled up? It might be said, that the Bank would use this sum in discounting bills for the convenience of the mercantile world. But what sort of Bills? The country was now smarting under the effects of the speculation and overtrading caused by the facility with which money was obtained on bills not founded on real mercantile transactions. This he conceived was a part of the question, which ought to be viewed with great jealousy by the country. It appeared from the appendix to the report made by the lord's committee, and he thought that it ought not to have appeared, that by some accident the funds requisite for the payment of the public creditors were not forthcoming. Against this difficulty the governors of the Bank however provided. He was one of those who wished that the government of the country should at all times be strong, and not one of those who would wish to cramp the energy of government. He had reason to differ from the members of the present government, for this cause, amongst others, that although they possessed the means of being strong, they did not exercise their strength by bringing forward several measures of great benefit to the public, which he was confident that they might carry by even a little exertion. He objected to the proposition of his hon. friend on this ground, amongst others, that if adopted, it would diminish the proper strength of government. He could not omit to express his opinion of the firmness and constancy with which the Bank had supported the government during the long and arduous struggle in which we had been engaged. He thought that when the exchanges and the price of gold were so near par, and when there were so many circumstances accelerating the facility of that desirable event, a return to cash payments, it was a bad time to take away the discretion of the Bank, and to adopt measures in respect to it that had the appearance of coercion. From a long course of experience, and a close observation of the conduct of the Bank directors during a succession of difficult and perilous conjunctures, he could not help saying (though he condemned a certain paper, and believed its effect would be most strongly to shake the public confidence), that he should more approve of measures for carrying the principles of the committee into operation, which met the views, and were attended with the acquiescence and approbation of the Bank; and it struck him, that to tie up the hands of that body in the manner proposed, was rather an ungracious return for the powerful and ready assistance they had invariably lent the government and the country during a twenty years' war. As for the gold bars proposed in the resolutions of the member for Oxford to be given out, he was perfectly certain that they would never be called for from the Bank; and that neither in February next, nor October, nor the following May, nor at any time, would there be a considerable demand for gold from it, unless the Bank itself provoked it by an indiscreet purchase of bullion.

Mr. *Pearse* contended, that for thirty years the Bank had not taken a single step which ought to expose them to the slightest distrust on the part of the public; and denied the assertion of an hon. gentleman opposite, that they were not competent to the conduct of their own affairs. With respect to any evils that might be apprehended on the subject under the consideration of the committee, as far as the Bank directors had power they would endeavour, as they always had endeavoured in similar circumstances, to prevent them. It had been said, that the Bank Directors had no serious wish to return to cash payments. He declared most solemnly, that from the moment of the restriction to the present hour, in all the conversations which he had held with every one of the directors, there was but one hope expressed, namely, that the time for the resumption of cash payments might speedily arrive. Of this fact, the conduct of the Bank three years ago, in commencing payments in gold (by which they sustained a considerable loss), afforded sufficient proof. For himself, he looked with confident expectation to see such a favourable state of exchange produced by natural causes, that the Bank would have no necessity to reduce their issues in order to perform the operation required of them. On that subject, in what a condition was the Bank placed! By one party they were told, that if they did not contract their issues, the price of gold would remain too high; by another, that if they did contract their issues, the commerce of the country would be cramped. Thus situated, it was impossible that the Bank could act rightly in the opinion of a large portion of that House. He was happy to say, that that establishment stood in higher estimation out of doors; and that while hon. gentlemen were depreciating the character of the Bank in parliament, that character was the subject of admiration and confidence in every other part of the world. Those who were inimical to the Bank indulged in bold assertions, ungrounded on fact. For instance, if the House would only look at the amount of the issues of Bank-notes at various periods, and the price of bullion at those periods, they would find that all the assertions respecting excessive issues by the Bank were groundless. As to the resolutions proposed by the right hon. gentleman, he was so firmly convinced that the exchanges would come round by that period in favour of the country, that he had no objection to that which directed that the Bank should resume payments in cash by the end of four years. But he had a great objection to the intermediate propositions respecting payments in bullion: which, in his opinion, would tend only to a species of gambling on the exchange that would be very injurious to the Bank. The Bank would, by that means, not be allowed fair play in their efforts for the attainment of the object which they had in view, in common with that House; for he would again flatly contradict the assertion, that the Bank were not disposed to pay in cash, when the state of the country would allow them to do so. As to the objection urged against the Bank, that they had been a species of legislators interfering with the commerce of the country, he could only say, that the power of doing so had been forced on them, and that they exceedingly lamented it. He contended, that in all the trials and difficulties which the Bank directors had to encounter, they had uniformly conducted themselves with prudence and circumspection; and were they to-morrow to set their stupid heads together, as some gentlemen delighted in representing them—to issue an undue proportion of paper, they would not be able to keep such an influx afloat for a week! A diminution of our paper currency would give the monied market, in some instances, the advantages in respect to the precious metals; but after the effect of artificial causes, the natural effects would soon correct the excess.

Mr. *Ricardo*, in explanation, denied his having said that the Bank were insincere in their declarations. He meant no personal hostility to them as individuals, or as a public body; but he was of opinion, that they had taken wrong steps, and that they did not understand the subject of the currency.

Mr. *Wilmot* agreed with the last hon. member, that the Bank directors were sincere in their declarations for the resumption of cash payments. If any doubt arose on that head, gentlemen need only refer to the period when the Bank issued some millions of sovereigns in addition to the circulating medium of the country. If, however, the directors had evinced the regard and anxiety for the public which they now professed, all those sovereigns would not have so suddenly disappeared, and the public embarrassments would have been prevented. The hon. director, speaking, no doubt, the sentiments of his brother directors, had stigmatized a set of men by terming them jobbers and gamblers. They could not prevent jobbers and gamblers; as the persons so denominated were only imitating their superiors. He confessed his astonishment at the objections of the Bank directors to the graduated scale recommended by the committee, because he believed, that had the directors been left to themselves, the plan now under consideration would have been that which they would have adopted. In the discharge of every moral obligation commercially, this country had always stood higher than any other in the world. Parliament was now acting with its usual wisdom in recommending the adoption of the present measure to the Bank. It would revive public credit, and produce that confidence in the Bank which they had never before experienced. The opinions within these walls were highly favourable to the Bank of England; but the opinions without doors, fostered by the clamours which had been noticed, were dangerous to public credit. The hon. gentleman said, that the difference of exchanges arose from an excess of Bank-notes. It was therefore necessary to compel the Bank by an act of parliament to resume cash payments at a given period. The profits of the directors, by discounts, and the power of government securities, were sufficient to answer every temporary inconvenience on the part of the Bank. A proper understanding of the question, and the speedy decision of the House, would allay the fears and alarms of the country; and the people would rejoice when they found that sound principles of political economy were sanctioned by parliament.

Mr. *Marryat* said:—Mr. Brogden; I am one of those who have always contended, that the currency of this country could never be placed on a solid foundation, till the notes of the Bank of England were again convertible into specie, at the will of the holder. This doctrine I have hitherto maintained in very small minorities, but have now the satisfaction of finding that it is generally, I might almost say universally, admitted and acknowledged. Eight years ago I moved in this House for a return of the exchequer bills purchased by the Bank of England. My motion was opposed by the chancellor of the exchequer and the Bank directors, and of course negatived: but I now see it asserted in the Report, of the secret committee (of which the chancellor of the exchequer and the Bank directors, who took the leading part in opposing my motion, were members), that it is "necessary to limit and define the authority of the Bank to purchase exchequer bills, and to bring under the constant inspection of parliament the extent to which that authority may be exercised." Another Bank director has this evening admitted, that this practice occasions an issue of Bank notes not called for by the necessities of the public, as well as places their funds out of the reach of their own control. It is gratifying thus to find, that truth and reason, however they may be opposed, and for a time obstructed in their progress, will ultimately prevail. Much as I admired the speech of the right hon. gentleman, the chairman of the secret committee, who proposed the resolutions now under consideration, I could not but think it defective in one respect; that he declined entering into any detail, respecting the plan of obliging the Bank to pay in bullion on a graduated scale of prices at different periods. This plan is altogether novel and unprecedented; and therefore certainly required some explanation. It also appears to me, not only to be liable to various objections that have been urged against it, but to be exceptionable in point of principle; for I can see no just reason why the creditors of the Bank should accept payment in bullion, at a higher price than that at which the Bank are bound by law to discharge their notes in the legal coin of the realm. This plan seems to give the Bank an opportunity of taking advantage, either of the fears or the necessities of its creditors; for those who call for payment in bullion at once, must take about nineteen shillings in the pound, instead of being paid in full. One hon. gentleman says, the Bank will never be called upon to pay in bullion at eighty one shillings per ounce; but it is rather a singular recommendation of a plan, that it will prove totally inoperative. If so, it cannot answer the intended purpose of serving as a check upon the issues of the Bank, and must be altogether useless. But I fear that it may prove worse than useless. What security can the hon. member give, that while this plan is in operation no alarm will be excited by any occurrence, either foreign or domestic. In such an event, a run would take place upon the Bank, and therefore they ought to be provided accordingly. This is the opinion of Mr. Alexander Baring, and no man's authority stands higher upon all matters of commercial intelligence. He has declared in his evidence before the secret committee, that it would require nearly the same quantity of bullion for the Bank to undertake to pay in bullion at 81s. per. ounce, as to pay at the Mint price of *3l.* 17*s.* 10½*d.* He has also declared, that the Bank could not, without great pressure upon the public, procure the necessary quantity of gold to recommence cash payments, within less than three or four years. To his views of the subject I fully subscribe, and therefore consider the plan proposed in the resolution now before the House, of calling upon the Bank to pay their notes in bullion on the 1st of February next, as putting the existence of that establishment to hazard. One hon. member (Mr. Ricardo) not only considers it unnecessary for the Bank to purchase bullion, but recommends the directors to sell all they now have, in order to turn the foreign exchanges in our favour, and thus bring it back again with advantage. That the best and most certain mode of amassing a large quantity of any commodity within a short given time is, not to buy more, but to sell what you have already, appears a most paradoxical proposition. If the Bank were thus to suffer their bullion to slip through their fingers, and none of it should happen to find its way back again, I should be glad to know whether parliament would consider it a sufficient apology for their not having provided themselves with a sufficient quantity of bullion, in compliance with their injunctions, that they had acted upon the whimsical advice of this hon. gentleman. The publicity given to the situation of the Bank by the report of the secret committee, will very much increase the difficulties and disadvantages under which they must provide a large quantity of gold within a given time. Their wants will be speculated upon not only by foreigners, but by individuals here, who are always ready to turn the necessities of the public to their own advantage; and who will forestall the markets abroad, in conjunction with their correspondents in every part of Europe, and thus excite a general and formidable competition against the Bank. In every point of view, therefore, I consider the resolution which requires the Bank to pay in bullion within eight months from the present time, as a precipitate and unwise measure, which may oblige the Bank, in self-preservation, to resort to such a contraction of their issues, as will occasion the most severe and general distress — The secret committee, in their report, push their theory to an extent to which in my mind it will not bear them out. They lay it down as an axiom, that the Bank, by reducing the issue of their notes, may bring the foreign exchanges in favour of this country, and thus command a supply of gold to any extent that may be required. I admit that by contracting their issues they may correct the depreciation arising from excess, and produce a considerable effect upon the foreign exchanges; but I must contend that the foreign exchanges are also affected by other circumstances, over which the Bank have no control, and which may completely counteract all their operations. Will it be maintained that the investment of British capital in foreign loans last year, to the amount of ten millions, or that the purchase of foreign corn to probably the same amount, had no effect upon the foreign exchanges. What has taken place, may take place again. The instalments upon the French loan will continue to be paid till June 1820; and I believe that stock must be sold at such a price, as will tempt British purchasers to invest more capital in it. It is true, that our harvest bears a very promising appearance, and therefore we may hope that no farther drain upon us will take place for the import of foreign corn; but the result is yet in the hands of Providence, and our expectations may be disappointed. Even if we gain this advantage, we must set off against it the present state of our commerce. Overtrading is naturally followed by undertrading; for one extreme leads to another, and with discouraging markets and diminished capitals, we cannot expect the same resources, and the same favourable balance of trade and payments, as were formerly derived from the successful enterprise of our manufacturers and merchants. The necessity imposed upon the Bank of procuring a large supply of bullion will also have a very unfavourable effect upon our foreign exchanges: so that upon the whole, I doubt whether we can reasonably expect them to take that favourable turn which the report of the secret committee so confidently anticipates. The committee, finding facts to be in opposition to their theory (and facts are very awkward things for theorists to deal with), slip out of the dilemma in which they are involved, by admitting that "no conclusion can be drawn from the numerical amount of Bank notes in circulation at any given period." This admission concedes all I contend for, that the foreign exchanges are governed by other circumstances, and not solely by the amount of Bank notes in circulation. Ought we then to legislate upon doubts and uncertainties, and oblige the Bank to pay in bullion at so early a period as the 1st of February next, when the probabilities are against their having the means of so doing, either with safety to themselves or to the public? One very important part of the subject, referred to the consideration of the committee, is wholly overlooked in their report. I mean the present Mint regulations, which fix a much lower relative value between gold and silver, than is established in any other country of Europe. According to our Mint regulations, an ounce of gold is worth fourteen ounces and a quarter of silver. According to the Mint regulations of France, an ounce of gold is worth fifteen ounces and a half of silver, and according to those of Holland and some other countries, 15¾ ounces of silver. The difference between our Mint regulations in this respect, and those of France, which approach the nearest to them, is 8½ per cent; so that whenever the market price of silver in this country reaches the Mint price, there is a profit of 8½ per cent on importing silver and exporting gold, supposing the Bank to pay in bullion or specie at the Mint price; and I will now explain the nature of this operation. If I import 14¼ ounces of silver from France, and sell them here at the Mint price, I can take the Bank notes which I receive in payment, and demand for them from the Bank 1 ounce of gold. This ounce of gold I send back to France, where I receive for it from their mint 15½ ounces of silver; thus realizing a profit of 1¼ ounce of silver, or 8½ per cent upon the transaction, which requires only fourteen days to perform, and may be carried on to any extent. In the report of the secret committee of the House of Lords, this danger is adverted to; but they consider this danger as guarded against by silver not being made a legal tender for more than 40*s.* If the Mint were the only market for silver, the observation would be conclusive; but the great market for silver in this country is, for exportation to India and China. Three months ago, when the regular China ships were fitting out, the demand was so great, that dollars, which are worth 2*d.* an ounce less than standard silver, sold at 5*s.* 9*d.* per ounce; and a large quantity of French crowns were imported and shipped, because a sufficient number of dollars could not be procured. The profit upon this transaction would then have been much greater than I have stated; and as the export of silver to India and China is likely to increase, in consequence of the very disadvantageous sales of British manufactures in those parts of the World, some new arrangement of the Mint regulations ought to be made before the Bank is obliged to pay in gold at the Mint price, or the demand for silver will drive our gold out of the country. On a former occasion, I observed that the Secret Committee consisted of too many theorists and too few practical men; and the perusal of their report has confirmed me in this opinion. Mr. Burke has remarked, that "nothing in nature is so hard, as the heart of a thorough-paced metaphysician." "These philosophers," he says, "consider men in their experiments, no more than they do mice in an air pump, or in a recipient of mephitic gas. They are carried on with such a headlong rage towards their desperate trials, that they would sacrifice the whole human race, to the slightest of their experiments." The complexion of the report of the secret committee, has somewhat of this tinge. It mentions with the most philosophic composure, "the difficulties that must be encountered, during the resumption of payments in specie, but considers them as outweighed by the important and permanent benefit of restoring the standard, by which, previously to the year 1797, the value of commodities was measured: and which, though variable in a certain degree, is much less exposed to fluctuation than any other that can be devised." Now, Sir, I who am no philosopher, but a plain practical man, am in the habit of comparing the good and evil to be derived from any measure with each other, and striking the balance accordingly. In this case, the good to be derived is correcting a depreciation of 3 per cent in our paper currency twelve months sooner or later; and to obtain this, we are called upon to hazard the security of the Bank, and to inflict the most serious distress on every class of the community. Nothing can be more unfortunately timed than this experiment. The distress of the agriculturists is extreme. In the county where I was born, where the farmers used first to supply their own vicinity, and then send their surplus produce to London, they are now supplanted in both markets by foreign corn, which is selling all around them at such a ruinous depreciation of price, that they cannot afford to employ their labourers, and are actually throwing many of them upon the poor rates. The distress among the manufacturers is so great, that cheap as bread is, they cannot afford to buy it with the wages they now earn. The commercial part of the community find their capital daily diminishing, by the depreciation in the value of all commodities; their warehouses are full, their purses empty, and failures among them continually taking place. Is this a period to add to the pressure which is already so severely felt by every class of the community and to deprive them of that accommodation which they have been in the habit of receiving from the Bank of England; as you must and will do if you adopt a measure, which will oblige the Bank to resort to a violent and precipitate contraction of their issues. An honourable member (Mr. Ricardo) says, there is a great panic abroad; but that though men are frightened, they ought not to be frightened. This is very philosophical; but putting the case fairly between the philosophers and the alarmists, I really think the latter will be found to have reason on their side. Independently of the causes of alarm which I have already stated, it must be considered, that the public are now fully apprised of the difficulties of our financial situation. They know that there is a deficit of 13½ millions to be provided for, in order to make our annual revenue and expenditure meet, and they farther know, that the only two sources from which this sum can be drawn, are the sinking fund and taxation. When we recollect the repugnance to taxation, that of late has been manifested in this House whenever the subject has been mentioned, it must be confessed that the situation of his majesty's ministers, as well as of the country, is sufficiently embarrassing; and I am persuaded that the apprehensions which at present exist in the public mind, are not likely to be removed, till the finances of the country are placed on a solid and satisfactory footing. Many observations have been made in the course of this debate upon the conduct of the Bank Directors. I am far from approving of all their measures, but must say, that I think they have been very harshly treated upon the present occasion. The hon. member for Portarlington not only censures them in his capacity of member of parliament, but complains as a proprietor of Bank stock, that in their transactions with the chancellor of the exchequer they have given advantages to the public at the expense of their constituents; and that he expected a surplus of undivided profits of 10 millions instead of 5,200,000*l.* Really, Sir, I should have thought that the extravagant profits already divided, would have satisfied the most rapacious Bank proprietor; and that not one of them would have reproached the directors for giving some accommodation to the public; when he considered the enormous advantages they have made at the public expense, since the suspension of cash payments. The directors have also incurred the displeasure of his majesty's ministers, by refusing to concur in a measure, which, in the note of their committee of treasury, they say they considered would have been deluding the public with an expectation not likely to be realized. If such were their sentiments, I give them credit for the spirit and independence with which they acted; and wish they had shown the same spirit in 1817, and had refused to make the chancellor of the exchequer those lavish advances upon exchequer bills, which so unjustifiably increased the amount of their notes in circulation and brought such serious evils upon the country. It seems rather hard, however, that the right hon.

gentleman should abandon them in the hour of distress, after all the accommodation he has received at their hands. It has been asked, what confidence can be placed in the Bank Directors? I think that we have now the best possible security for their good conduct. Formerly, they acted in concert with his majesty's ministers and a majority of this House, now the ministry and the whole House are against the Bank Directors, and therefore we may confidently rely upon their compliance with our injunctions; indeed, a hint has already been given them, that if they are refractory they may expect an abrogation of their charter, which no doubt will quicken their obedience. With respect to the resolution immediately under the consideration of the House, my objections to it are insurmountable: neither do I approve altogether of the amendment proposed by the hon. member for Coventry. We all agree in the expediency of resuming cash payments, the only difference of opinion is as to the best and safest mode of so doing. I should wish to negative this and the next resolution (by which means we should get rid of the graduated scale of payments in bullion, and give the Bank till the 1st of May 1821 to pay at the Mint price), and to adopt all the other resolutions as proposed by the right hon. the chairman of the secret committee.

Mr. *Frankland Lewis* maintained, that the evidence which had been adduced before the committee was sufficient to show that the report had not been drawn up without the aid of practical men, and that it did not materially differ from the result of their experience. As to the idea of the committee dictating to the Bank, he repelled it with the greatest indignation. If the Bank would pay its notes in specie on demand, it might attend as much as it pleased to the convenience or interests of the commercial world—so far it might safely go but no farther: the instant the company stepped beyond a certain limit in the exercise of its discretion, it stepped too far. Last night a Bank Director had pleaded very pathetically for the allowance of a general discretion as to the issue of notes; but would the House concede to the Bank of England a power it refused to the crown? Since the reign of Henry 1st, parliament had deprived even the king of the right to alter the standard of the currency; and what reason could be assigned for permitting the Bank, by the expansion or contraction of its issues, to vary the standard of the currency? To give the company this discretionary power would be to revive all the evils of the days of Henry 8th and Edward 6th. The jealousy of our ancestors in this respect ought not now to be deserted. He was unwilling to put any thing that bore the appearance of restriction on the power of the Bank to relieve commercial distresses; but when they did so, they in truth only levied a tax upon the public at large, and applied the proceeds to the aid of individuals. Such a relief was contrary to the very foundation of property in this country, and was reviving some ancient but at the same time most injurious usages. No doubt could exist as to the necessity of some regulations for the government of the Bank, in the minds of any men but the directors, and with them he did not wish to debate about principles of policy and economy on many accounts; he wanted only to reduce them to their former wholesome habits and system; and unless they were so reduced, at the end of two years from the present date, the House might have to go over the ground it had now trodden, and the country would have anew to suffer the consequences of such a proceeding. He hoped that from henceforth the question would be set at rest, and that the general affairs of the nation would be restored, not merely to order, but to prosperity.

Mr. *Peter Moore* remarked, that it could not with justice be said that the present plan came by surprise on the Bank, because from the sentiments uniformly expressed on this subject by parliament, as well as from the general principles of justice, the Bank must have known that they would be required at some time to pay their debts. The only question really before the House was, whether the present plan was the best calculated to attain that object, and whether the time proposed was the most proper? He trusted that no member of that House would countenance a supposition that the Bank alone were competent to determine the period fit for the discharge of their engagements to the public. He congratulated the hon. gentlemen on his side of the House, at finding the opinions for which they had encountered obloquy and struggled in vain, now adopted almost unanimously by those who formerly opposed them.

Mr. *Abercromby* said, that having been

appointed one of the members of the committee, he had commenced his duties with strong opinions, which he did not expect could be shaken, and which all he had heard and seen tended to confirm. He regretted that he was under the necessity of differing from his right hon. friend (Mr. Tierney) who had declared his intention of supporting the amendment; but after the most patient and impartial inquiry, he had come to the conclusion, that the plan recommended by the committee was extremely desirable, and would prove most beneficial. Entertaining this conviction, he should not only desert his duty if he threw obstacles in the way of the adoption of the plan, but if he did not avow his distinct approbation. He could not, however, avoid observing, that it must be a matter of the deepest regret to the House and the country, that the favourable opportunity for resuming cash payments in 1816 was allowed to pass: a permanent and healthy system might then have been introduced, without requiring the nation to endure the distresses undoubtedly occasioned by the present struggle. In point of fact, the measure now suggested was as necessary to the political interests as to the moral character of the country; and though a great deal had been said about the injury the Bank might or might not sustain, very little had been urged in favour of the great mass of the people, who had been suffering under so many difficulties and privations, while the directors and proprietors were heaping up wealth. The objection taken by his right hon. friend as to the injustice done to a man who had only 10*l*., and wished to obtain gold for it, had been satisfactorily answered by the member for Portarlington. But another point urged was, that this plan established a precedent for departing from the established standard of the kingdom. All that could be said in reply to this suggestion was, that the great object of the measure now under consideration was directly the reverse; it was to prevent a departure from the ancient standard. The question was one of vital importance, and he hoped that after its decision no measure of finance would be voted by the House, without a reference to its great bearings. He trusted that the good sense of the country would soon remove the delusion under which it at present laboured, and that this would be the last time parliament would be called upon to discuss the subject. A large majority in favour of the plan would give a weight to the determination of the House, and he hoped that on this account the hon. member for Coventry would consent to withdraw his amendment. It would be well if it could go forth to the people, that the great body of their representatives had concurred in the plan, and that though differences of opinion prevailed, they were not so marked as to require that the sense of the House should be taken.

Lord *Castlereagh* said, he had listened to the course of the debate with the utmost attention and had been anxious to reserve himself for a later period of the night, that he might not only receive information from the views of others who thought with him, but that he might offer answers to the objections that might be started. As, however, those objections were few, and not likely to increase, and as a favourable opportunity seemed now to offer itself, he could not refrain from making such observations as occurred to him. In adverting to the importance of the measure, he did not place it in too high a scale when he said, that no question of greater interest to all classes of the community had ever called for the deliberation of parliament. He was sorry to observe, that a degree of alarm prevailed out of doors, and he could find nothing in the tenor of the measure now proposed to justify it: at the same time, the House would not be surprised, if, on a subject of such vital moment, a degree of anxiety prevailed in the country, taking in its first impression the colour of alarm. He saw nothing in the plan but what ought to inspire confidence; and only a short time would, he was convinced be necessary to bring the public mind to a correct view of the question. It was not at all extraordinary that a peculiar degree of agitation should prevail at a moment when the pecuniary concerns of so many individuals were involved in the result, of the nature and effects of which they were not yet in a situation to judge. Under these circumstances, it became the bounden duty of parliament to lay before the nation a full and fair statement of the subject. It was in vain to suppose that commercial affairs could be conducted in a beneficial train of exertion until the public could ascertain what was the real condition of the national finances. It was not to be supposed that any lasting check had been given to our means of prosperity. True it was, that those means of prosperity were at present standing still; the employment of capital and the exertion of industry paused and rested, until it could be ascertained how they could best be brought into action. The noble lord said, he drew consolation and hope from what was called the existing stagnation of trade: he saw in it a revival with more than former vigour; and it ought to be an incentive to the House without delay to come to an examination of the state of the currency, and of the remedies it required. He would venture to predict that if the House acted upon the bases laid down in the report, with the wisdom and energy belonging to the British parliament, the alarm now prevailing would quickly disappear—capital and industry would resume their stations, and would operate with success in a new and untried direction. We had always this consolation, under such circumstances—that when industry was checked, it was only in fact clearing its channels, and removing temporary obstructions. He should endeavour to argue this question upon practicable grounds, and in doing so, he should endeavour to show that his own opinions were consistent with those which parliament had so recently recognized, in its determination to adopt those measures for the great object in view, which might be most safely applied under the existing circumstances of the country. He knew that there were complaints against this system, which must in fact exist in regard to any other: on its first adoption, some inconvenience must be occasioned; he knew that there were also complaints against its supporters, for some inconsistencies, some abandonment of principle in regard to the opinions they might be supposed to have entertained upon former occasions. He agreed with the hon. member who spoke last, however, as to the possibility of arriving at the same conclusions by very different trains of reasoning; and it was possible to account for discrepancies of opinions, at different periods, by a very plain statement. He was sorry to observe that a right hon. member opposite had departed from that spirit in which this discussion had latterly been conducted, more especially as he was not aware that there had been any fundamental difference in their views. The noble lord said, he had never argued the question in any other light than that the suspension of cash payments by the Bank of England was a measure infinitely to be regretted, and only justifiable on the ground of strong necessity. What was the object, indeed, with which the right hon. gentleman opposite had brought forward his resolutions at that time, if it was not to recognize the principle of the Bank's resuming cash payments in two years without any intermediate steps? How, then, did he and his right hon. friend differ? He entirely concurred with his right hon. friend, that the time was now come for some practicable arrangement. With regard to the simple question before the House, he was not aware that there was any dispute between himself and the right hon. gentleman, as to the expediency of its object, but only as to the means of its execution. As to the monetary system of the country, they were never at issue upon that point. He must in candour tell the House, that he was one of those persons who had held the opinion, that there were no fair grounds for considering the Bank note to be depreciated. Whatever might be the fact upon that head, he could only say, that the measures he had formerly voted for, under this feeling, had effected all the good which was expected to result from them. With regard to the depreciation, he would, with the leave of the House, read a passage from the report, which contained two of the answers of the hon. member for Portarlington (Mr. Ricardo), who was not less clear in his opinions than happy in illustrating them. The noble lord here proceeded to read a part of that gentleman's evidence relative to the fluctuations in the price of gold, particularly as to the proportionate depreciation contrasted with the lower prices of gold bullion of the Bank-note, and, arguing upon the admission of Mr. Ricardo, that it was so depreciated, entered into a train of reasoning to show that the diminution of value was not positive, but relative only; that in his (lord Castlereagh's) opinion, that diminution or depreciation was never such, as to be experienced in the purchase of home commodities, manufactures, or produce: that it was a currency which answered in that respect, all the purposes of a metallic circulation, without being exposed to similar fluctuations: and that in advancing this, referring to former occasions, and the opinions he then held, he by no means meant to maintain, that the resolution of his right hon. friend went to say, that gold and paper were alike, or had the same relative internal value. He had only adduced a particular instance, supposing also the particular period of his former opinions. He would here beg to refer the House to the condition of the country at the time of passing the Bank restriction act. Where would it have been, had that act not been passed? Did the House believe that the operations of the state could have been carried on without its assistance? or without taxes? or that the country could have been supported without loans? What, then, would they have done had the Bank been obliged to contract its issues, to keep up a metallic currency, which at the same time that it cramped those issues, would have drained its treasures to preserve? He begged therefore that the House would not allow any thing like calumny to pursue a body of men who had done so much. If they were said to have misconducted themselves, why the House must own that they must have considered themselves charged with a higher duty than that of regulating their mere banking business [Hear!]. The House was bound to imagine that the good they had done was not done upon narrow views of mere commercial advantage, as to a banking concern. It was, on the contrary, highly commendable to that body, that they had never suffered such contracted views of profit to interfere with their great and honourable and zealous services to the country; that they had never permitted motives of such an interested description to hinder them from affording that prompt and vigorous relief, which, had it not come from them, he could assure the right hon. member, he was himself utterly ignorant whence it could have proceeded. Here then, he would also assure the right hon. gentleman, and the House, that he would never shrink from any principles that he ever held before on the subject.—He would now state the grounds, very shortly, which induced him to think the proposed measure the best calculated of any yet submitted to parliament, for effecting the purposes contemplated by the legislature. Looking to the evidence which had been submitted to the committee, it was impossible to disguise from themselves the impossibility of returning to a metallic currency without causing some pressure to the country. Adverting to what had been submitted as the resolutions of the committee, he could only say that he was disposed to concur in whatever suggestion might be offered, that at all tended to the attainment of so very desirable an object as the resumption of cash payments; and to push any measure of that description as far as might be consistent with our prosperity. If any change of circumstances could now be operated, that should assimilate with the former condition of things as regarded the state of the currency, undoubtedly such a change would be infinitely more satisfactory than any thing else. It was the wish of government to have postponed the agitation of the present question for some time longer, thinking that very many causes were at present in operation throughout continental Europe which greatly affected the resumption of cash payments, almost indeed to prevention. These circumstances, combined with foreign loans, the large sums of money taken by them out of the country, and the extensive investments of capital in foreign funds, they considered, might have so operated with parliament as to have locked up this question until another session, when it would have been less difficult to deal with it than at present but they were diverted from that circumstance by the determination of parliament itself, and the public anxiety; and surely the House would go along with him, in saying, that this was a subject which, once entered upon, could not be left unsettled. As to the committee, the question was not left open to their discretion, whether the Bank could return to payments in specie or not. The only question for their investigation was, how that measure could be effected in the shortest space of time, and with the least possible injury to the community? Government, therefore, satisfied itself that by adopting, on the part of the Bank, the measure of bullion payments, it greatly accelerated the return to cash payments. So that, with relation to the opinions of the hon. gentlemen on the other side, and of the Bank, as far as regarded the principle of the ultimate resumption of such payments in cash by the Bank, at the expiration of four years, and of the previous repayment of a portion of its advances to government, there was no difference, or very little, between them. The difference was upon the previous or intermediate deliveries of bullion. Really, he thought the Bank took a very wrong view of the subject, and one by no means warranted or reasonable. With respect to its own interests, this plan was one of the utmost advantage; and if adopted, would remove from its mind every doubt: if the exigencies of the country called for paper, however, he should have no objection to meet their wishes, supposing them excited by an unfavourable harvest, or some other unlooked-for cause. It was incumbent on the House to adopt some measure of the present description, seeing that now the time for it was come. The Bank should remember, that although the Mint standard of gold was 3*l.* 17*s.* 10½*d.*, no serious consequences were likely to result to them in consequence of this plan, as they would commence their issues under the protecting price of 4*l.* 1*s.* This was of much importance, inasmuch as it would of necessity completely prevent any run upon their precious metals. With regard to the supposition that the repayment to the Bank was to be made at once, and that the whole amount was suddenly to be withdrawn from circulation, it was a delusion which he was satisfied could not last above a few days. That repayment would be made gradually, and with reference to the convenience of the Bank, as well as the accommodation of the public. Nothing so wild and absurd as the idea of accomplishing this repayment *per saltum*, had ever been contemplated by the committee, or could have entered into a rational mind. The Bank would be enabled to throw back by the medium of discounts, the paper thus restored to it, into general circulation, and could not by any possibility find itself crippled in paying gold bullion for its notes at the protecting price of 4*l.* 1*s.* per ounce, which already exceeded the market price. It was not, however, called upon to issue gold till February next, and the protecting price at which it was to be issued would continue for a year and a half. The exchanges would, there was every reason to believe, improve in the mean time, independently of the operations of the Bank. But the truth undoubtedly was, that the Bank held the regulation of the market price of gold in its own hands; and as to any ground for future apprehension or alarm, he conceived that it would be more expedient for parliament to deal with the danger when it arrived, than suffer the prospect of it to arrest the course of the present measure. If a later period than that of February next had been suggested, the public might have regarded the proceeding merely as a provisional arrangement. There was no reason for dealing speculatively with contingent evils; and were some unforeseen calamity to fall upon us, or a bad harvest to cause large importations of foreign corn, it would be early enough to provide for such difficulties when they occurred. By fixing the commencement of the new system in the month of February, a time was selected when, in all probability, parliament would be sitting. It was admitted, on the other hand, by all sides, that it was most desirable to restore our currency to its antient principles; and there was certainly nothing in political appearances at present to warrant the supposition that parliament would hereafter find it necessary to abstain from carrying this measure into full effect. It was no small testimony to the excellence of the plan under consideration, that it had produced an union of sentiment, and had been approved of by the concurrent opinions of two committees, formed of persons who differed upon most other political questions. With the exception of the right hon. gentleman (Mr. Tierney) who differed with the committee on one branch of the plan, and of an honourable director, there had been an unanimity of opinion; and in the secret committee of the other House on the same subject, there had been but one exception to a similar unanimity. To this he might add, that of four Bank directors examined by the committee, three had approved of the principle of the measure. The whole alarm which had prevailed had arisen from a false and inaccurate notion of the mode in which the details of the arrangement were to be effected. That alarm, however, would, he was convinced, immediately subside, and be quite at an end, when the financial measures which his majesty's ministers had it in contemplation to propose for the service of the year should be submitted to parliament. The capital of the country, he confidently believed, would soon be brought into full activity, and we should safely, and by almost imperceptible steps, return to our ancient system of circulation.

Mr. *Ellice* hoped, that the House would indulge him with a hearing for a few minutes, whilst he endeavoured, in justice to his own character, to set himself right with regard to an allusion which had been made to him by the right hon. the chancellor of the exchequer. It was true that he had been one of a deputation of four who had waited on the first lord of the Treasury to deprecate an early return to cash payments. His own objection, however, was simply to any large repayment to the Bank during a state of alarm, conceiving that the worst way of curing one extreme was to rush into the other. He had deprecated the sudden repayment of the advances at a critical moment, though he wished those advances had not been made. His amendment was consistent with this view of the subject. In his amendment, he had not contradicted any of the principles of the original resolution. His object was to guard, in the first place, against that mischief, the sudden reduction of the currency by means of the repayments of the Bank advances, which he had feared last year; and in the next place, to make the Bank and the government independent of each other, that they might not hereafter, as they had done heretofore, shift from one to the other the responsibility of the failure of those measures which parliament had entrusted to them for the restoration of a sound currency. He wished also to avoid the necessity of admitting, by a legislative measure, the depreciation of the currency. As to his resolution forbidding the Bank to make advances to the government, his hon. friend (Mr. Ricardo) had said, that the Bank should not be restrained from the employment of their capital as they pleased. In this he perfectly agreed; but he would say, let them first satisfy their debts. Let them pay their notes in cash on demand. As the committee, however, seemed so nearly agreed in opinion, he was unwilling to disturb their unanimity by pressing his amendment. It was of such importance that the principles should be agreed to, that he would wave his objections in detail. He was only sorry that the noble lord had held out the possibility that the question might be again brought into discussion next session. He hoped when once settled it would never be reconsidered.

Mr. Ellice then with the leave of the House withdrew his amendment.—Lord Milton attempted to address the House, but the confusion was so great, and the calls of "question" so loud and reiterated, that in a few moments he sat down.—Mr. Marryat, and several other members, offered themselves to the committee; but the clamour was so great, that it was impossible to hear what was said. In the midst of this confusion, Mr. W. Smith rose and said, that in consequence of the disgraceful state of the House he should move an adjournment.

Mr. *Canning* said, he did not rise to obtrude on the committee his sentiments on this subject, as they were already known: he was not anxious to state the reasons which induced him to vote for this measure, or to scrutinize the reasons which actuated others; but he rose to conjure the committee, if they valued the effect which their decision on this subject would have on the country, to give a patient hearing to every gentleman who wished to state his opinions on the plan proposed, more especially to those who dissented from the resolutions. One effect of their unanimity that night would be lost, if any grounds were given for supposing that it had been obtained either by members suppressing their own opinions, or what was worse, by clamouring down the opinions of others [Loud cheers.]

Mr. *Irving* shortly addressed the committee. He objected to the repayment of the ten millions to the Bank, as likely to be attended with inconvenience. He also objected to the 4th and 5th resolutions.

Mr. *T. Wilson* expressed an opinion different from that of the report of the committee, with regard to the degree of confidence which ought to be reposed in the Bank; for it ought, in his judgment, to be left to the discretion of the Bank to decide at what period the resumption of cash payments should commence, and thus a sufficient opportunity would be afforded to the directors of that corporation to prepare for such resumption. This course of proceeding was, in his view, the more expedient, considering the circumstances in which the Bank was placed; those circumstances being materially different from any period heretofore, when this question was brought under the consideration of parliament. With regard to preparations for the resumption of cash payments, he was decidedly of opinion, that instead of purchasing bullion, the provision of that article should rather be left to the natural operations of trade. On his part, he had no hesitation in declaring, that the Bank was as fully competent, as well as willing, to resume cash payments, if left to the exercise of its own discretion, as the country was to surmount all its difficulties, if its intrinsic energies were duly excited and judiciously directed.

Mr. *Peel* rose to reply. He said he was not desirous to trouble the House with any unnecessary speeches, and was too anxious to carry the resolutions, to trespass upon the indulgence of the House usually granted to persons in his situation. On one or two points he had been misunderstood; but he did not think the misconception of sufficient importance to waste the time of the House in explanation. He congratulated the committee that they were now about to attain the object which they had in contemplation, and that they were at last in sight of the goal from which they had started two and twenty years ago. He sincerely hoped, that the difficulties which some had anticipated would not prove so great as their apprehensions had represented them, and he trusted that parliament would derive from their recent experience this salutary lesson—not to resort again to any variable substitute for the ancient standard of the country. Having said thus much, he had only to add a proposition calculated to render the seventh resolution correspondent with the fourth. The amendment was merely verbal, but it was necessary because it would appear from the present wording of the seventh resolution, that it was left to the discretion of the Bank to pay in gold at more than 3*l.* 19*s.* 6*d.*, provided it did not exceed 4*l.* 1*s.*, within the interval between the 1st of October 1820 and the 1st of May 1821. To obviate this error, therefore, he proposed, that the Bank should be called upon to pay in that interval at the rate of 3*l.* 19*s.* 6*d.*, or at some sum between that and 3*l.* 17*s.* 10½*d.*

Here the call for question! question! became loud and universal, but Mr. Cripps calling for a division,

Mr. *Canning* appealed to the House to corroborate him in the statement, that throughout the examination of this question he had never manifested a wish to obtrude his observations on the House. But he hoped it was not now a question whether the House were to acknowledge the principle of a necessity for the country to return as soon as possible to cash payments by an undivided vote, which would of course produce more effect in tranquillising men's minds than any reasoning, however satisfactory, or any majority, however triumphant, on a division. An undivided vote upon the principle at least was become, from recent events, more necessary than ever, to show the public that the House was in earnest in its attempts to restore the ancient standard, of which the House and almost every one had lost sight for two and twenty years, and of the revival of which he had sometimes been almost induced himself to despair. Since, however, it was now resolved, by some of those who had dissented from the argument adduced in favour of this principle, to proceed to a division, and defeat that unanimity, which had so happily prevailed in the other House upon this subject, and which was so essentially necessary in his mind to the restoration of perfect confidence on the part of the public, he should claim the indulgent attention of the House to the arguments which had prevailed with him as a member of the committee, to adopt the principle of the recurrence to the ancient standard.

Here a loud cry of "withdraw the opposition!" interrupted the right hon. gentleman for some time, and we observed Mr. Cripps on his legs addressing the House.

Mr. *Canning* continued. If he were then to understand that the opposition made by the hon. member was withdrawn, he would give one of the most satisfactory proofs of his sincerity in wishing for the adoption of the principle, by not attempting to occupy the time of the House any longer.

Mr. Cripps agreed to withdraw his opposition; and Mr. Manning also concurred in this proceeding, reserving to himself, however, the right of stating his objections to the proposed measures on a future occasion.

Mr. *Canning* said, that undoubtedly the acquiescence on this occasion of his hon. friend who spoke last, would not preclude him from expressing his dissent from any of the details of the bill which would be brought forward, founded upon the resolutions of the committee. But he would take the assent of his hon. friend and others in this instance, as nothing less than an acquiescence in the unanimous determination of parliament, that the country should return, as speedily as possible, to the ancient standard of value in the establishment of a metallic currency [loud and universal cries of hear, hear!].

The resolutions were agreed to without a dissentient voice; and were ordered to be reported to-morrow.

## HOUSE OF LORDS.

### *Wednesday, May* 26.

### ORDINATION FOR THE COLONIES.]

Earl *Bathurst* rose to introduce a bill for regulating the ordination of persons designed to perform clerical duties in the colonies. The noble earl referred to the discussion on the subject which took place some time ago, when it appeared that considerable irregularity prevailed in the appointment of persons to discharge clerical functions in the colonies. It had been the practice for the bishop of London to ordain persons for the colonies, but that practice, though it had long existed, and was, from the necessity of the case, continued by the bishops on their own responsibility, was, according to the opinion of the crown lawyers, illegal. One of the disadvantages of this system was, that no means existed of compelling the persons so ordained to exercise their clerical functions in the colonies, while their residence or return to this country produced a superabundance of candidates for clerical duties. The wants of the colonies too, as to religious instruction, were, in consequence of this state of things, very imperfectly supplied. To remedy this evil, it was proposed by the bill to vest the power of the ordination for the colonies in the archbishops of Canterbury and York, and the bishop of London. Provisions were introduced to secure the object of the ordination, and to prevent persons who might be very proper for communicating religious instruction in the colonies, but less suited to that duty here, from availing themselves of the character they had acquired, to enter on the care of souls in this country. If residing in colonies where there was a bishop, it would be required of them, on their return, to produce a certificate from him, or from the governor of the colony, of their good conduct. Regard must also be had to ability, as well as character, for such a duty; and it was therefore proposed, that persons so returning should not be permitted to accept the cure of souls in this country, without the permission of the bishop of the diocese. By acts passed in the present reign, bishops duly consecrated were appointed to Canada, Nova Scotia, and Calcutta. These bishops possessed the power of ordination within their dioceses. It was, however, very improper to allow all the individuals ordained in the colonies, purely for domestic purposes, to come and officiate in this country. It was therefore provided, that no charge intrusted to such persons should be left with the view of leaving the settlement, without the previous consent of the bishop of the diocese. That permission would of course be produced here, before authority could be obtained to assume the cure of souls in this country. Connected with this part of the bill, was a clause relative to converted Roman Catholics. At present persons of that religion who had received regular ordination, on acknowledging the errors of the church of Rome, were entitled to act as Protestant clergymen. It did not appear proper that the refuse of the church of Rome should be so readily admitted into the church of England. It was therefore proposed, that they should not be allowed to exercise spiritual functions, until they obtained the permission of the bishop of the diocese in which they might happen to reside. Thus the church of England would still be open to such persons, while security for their character and fitness would be given. Another object of the bill was, to provide that the bishops of Canada, Nova Scotia, and Calcutta, should not continue to ordain after leaving the sees to which they were appointed.

The Bill was read a first time.

## HOUSE OF COMMONS.

*Wednesday, May 26.*

Penryn Bribery Bill—Petition from Chorley.] Sir *R. Wilson* said, he had a petition to present from 500 inhabitants of the town of Chorley, in Lancashire, praying that the right of elective franchise, so grossly abused by the inhabitants of Penryn, might be transferred to them. He was of opinion, that their request was highly reasonable. Though the House had rejected his motion for transferring the franchise from Barnstaple to some of the unrepresented large towns, he should not relinquish that subject; nor till some such measure was taken to introduce a more equal representation of the people in that House, would he consent to the imposition of one shilling of additional taxes.

Ordered to lie on the table.

Resolutions respecting the Resumption of Cash Payments by the Bank of England.] Mr. Brogden brought up the report of the committee of the whole House, upon the Resolutions respecting the Resumption of Cash Payments. The said Resolutions were as follow:

1. "That it is expedient to continue

the restriction on payments in cash by the Bank of England, beyond the time to which it is at present limited by law.

2. "That it is expedient that a definite period should be fixed for the termination of the restriction on cash payments; and that preparatory measures should be taken, with a view to facilitate and ensure, on the arrival of that period, the payment of the promissory notes of the Bank of England, in the legal coin of the realm.

3. "That in order to give to the Bank a greater control over the issues of their notes than they at present possess, provision ought to be made, for the gradual repayment to the Bank of the sum of ten millions; being part of the sum due to the Bank, on account of advances made by them for the public service, and on account of the purchase of exchequer bills under the authority of acts of the legislature.

4. "That it is expedient to provide, by law, that from the 1st February 1820, the Bank shall be liable to deliver, on demand, gold of standard fineness, having been assayed and stamped at his Majesty's mint, a quantity of not less than sixty ounces being required in exchange for such an amount of notes of the Bank as shall be equal to the value of the gold so required, at the rate of 4*l.* 1*s.* per ounce.

5. "That from the 1st October, 1820, the Bank shall be liable to deliver, on demand, gold of standard fineness, assayed and stamped as before mentioned, a quantity of not less than sixty ounces being required in exchange for such an amount of notes as shall be equal to the value of the gold so required, at the rate of 3*l.* 19*s.* 6*d.* per ounce.

6. "That from the 1st May 1821, the Bank shall be liable to deliver, on demand, gold of standard fineness, assayed and stamped as before mentioned, a quantity of not less than sixty ounces being required in exchange for such an amount of notes as shall be equal in value to the gold so required, at the rate of 3*l.* 17*s.* 10½*d.* per ounce.

7. "That the Bank may, at any period between the 1st February 1820, and the 1st October 1820, undertake to deliver gold of standard fineness, assayed and stamped as before mentioned, at any rate between the sums of 4*l.* 1*s.* per ounce and 3*l.* 19*s.* 6*d.* per ounce; and at any period between the 1st October 1820, and the 1st of May 1821, at any rate between the sums of 3*l.* 19*s.* 6*d.* and 3*l.* 17*s.* 10½*d.* per ounce; but that such intermediate rate having been once fixed by the Bank, that rate shall not be subsequently increased.

8. "That from the 1st May 1823, the Bank shall pay its notes, on demand, in the legal coin of the realm.

9. "That it is expedient to repeal the laws, prohibiting the melting and the exportation of the coin of the realm."

The resolutions were agreed to; and a bill or bills were ordered to be brought in by Mr. Peel and the chancellor of the exchequer.

GRAND JURY PRESENTMENTS IN IRELAND.] Mr. *Chichester* stated, that from the great hardship felt by the unequal pressure of the county rates in Ireland, in consequence of their being levied according to surveys taken in some instances a century and a half ago, and in others according to customs peculiar to those counties in which no survey existed: he conceived it of the utmost importance that a revision of the system by which so large a sum as 900,000*l.* was annually levied, should without delay take place, and that an uniform practice should be adopted, which would relieve those who felt themselves unequally burthened, without doing justice to those who had hitherto been exempt from their share in this contribution. Among many instances of the undue operation of the practice now in existence, he stated, that in the northern part of the county of Antrim, one portion of the barony of Glenarm was rated at 18*s.* per acre, while another, in an equal state of cultivation, was entirely exempt. In some of the southern counties of Ireland, this tax was laid on denominations of land called plough lands, which, although varying in extent from sixty to five hundred acres, were obliged severally to contribute an equal sum towards the purposes of the county. He instanced the disproportion which existed in the county of Limerick, between the survey by which the county was rated, and that which it actually contained, of many thousand acres, by which it might be in the power of collectors to commit frauds of an extensive nature, by levying an acreable rate from those who, under the present survey of the county, were not subject to the charge of it. He concluded by moving "for leave to bring in a bill for a more equal assessment of monies levied by presentments in Ireland."

Mr. *C. Grant* briefly expressed his assent to the measure.

Sir *J. Newport* said, that no tax was more unequally levied at present than the county rates in Ireland. It was of the utmost importance that of a tax of 900,000*l.* annually, the inhabitants of the country should contribute in just and fair proportions. He therefore believed the measure contemplated would prove of immense advantage to the great body of the tenantry of Ireland.

Mr. *Leslie Foster* wished the House, at this early stage of the measure, to be aware of its magnitude and difficulty. A survey of Ireland of 12 millions of acres, at 6*d.* per acre, would cost no less than 300,000*l.* The smallest sum that it could be estimated at was 100,000*l.* and though he thought that sum would be well bestowed in making such a survey, yet it was the duty of parliament to be careful that means were employed to obtain a good one. As to what had been said of the pressure upon tenants by the unequal assessment, it should be remembered, that they had made their bargains with their landlords, knowing what proportion of the assessment they were liable to bear.

Mr. *Croker* said, that on the return of peace the admiralty had lost no time in considering how they might obtain charts of the coasts of the empire, such as they never have yet had, namely, accurate ones. The west coast of Scotland and the coast of Ireland were perhaps those parts of Europe, of which the existing charts were most defective. In considering how they might remedy this disgrace, the admiralty had found that in taking a maritime survey of a coast so indented as that of Ireland, a country, of which no part was more than 50 miles from the sea, much of that expense would be incurred, which would suffice for an internal survey also. Knowing, too, that the ordnance survey of England was in great progress, and that it would probably be extended to Ireland, they thought it would be a profligate waste of the public money, if they did not endeavour to have both the maritime and the ordnance survey prosecuted at once. They had communicated on the subject with the member for Oxford (Mr. Peel), then secretary of the lord lieutenant, who had received it with that attention, which he paid to every subject connected with the welfare of Ireland. The persons and instruments employed in the ordnance survey were now in Scotland, whence, when they had completed the survey of that country, they would be transferred to Ireland. In addition to a maritime and geographical survey, a statistical one might be completed at a small expense, if all the works proceeded together. He thought, therefore, that a Resolution of the House ought to be passed, the execution of which might be safely left to the executive government. He had no objection to the bringing in and printing of the bill.

Mr. *Chichester* said, he had no objection to any means by which the object he had in view, might be attained at less expense.

Mr. *V. Fitzgerald* was of opinion that unless government took the management of the business into their hands, it would not be found practicable. The hon. mover could not expect members to agree to a measure of so important a nature without being made acquainted with its machinery. He therefore trusted that he would have no objection to adopt the suggestion of his hon. friend, and let the bill lie over till the next session.

Leave was given to bring in the bill.

OCCUPATION OF PARGA.] Sir *C. Monck*, in rising to make the motion of which he had given notice, relative to the cession of Parga, said, that except the duty which a care for the safety of his own country imposed on him, there was none which he more willingly undertook, than that which he had to discharge that evening. He had to call on the House in behalf of a people who were to be deprived of all that made civil society valuable, protection for person and property, and the free exercise of religion. The people of Parga were now in possession of these privileges—he could not say in the enjoyment of them, for by the imprudence of the noble lord opposite at the Congress, they were soon in danger of being slaughtered ignominiously by their cruel enemies the Turks, or leaving their country, receiving a compulsory and inadequate compensation for the goods they left behind; leaving their land to be shared among their foes, and their Christian churches to be polluted with Mahometan ceremonies. If he had not strength of mind to impress on the House all the circumstances which weighed in favour of the inhabitants of Parga, he hoped he should be able to state enough to persuade the House, that they were called upon in an especial manner, by the generosity and justice which should actuate them towards other states, and especially towards small states, which at their hazard had been our friends in war, to interfere to protect them from the errors of our ministers. That House could never, he thought, refuse its sympathy or compassion to a people struggling for freedom, and therefore he was encouraged to calculate that the object of his motion would be graciously received, especially as military possession was taken of Parga in the year 1814, by a British force sent by general Campbell, upon a specific engagement with the people of that town that it was to follow the fate of the Ionian islands, whatever that fate might be. The people of Parga thus confidently committed themselves to the protection of England, and was it possible that it was intended, as he understood it was, to abandon this interesting people to the dominion of the Turks? He assured the House, that in bringing forward this motion, he was not actuated by any party motives, or by any desire to inculpate the noble secretary for foreign affairs, who was not, he sincerely believed, by any means aware of the mischiefs likely to result from the transaction to which he had given his assent. On the contrary, indeed, he thought the noble lord, when apprized of the consequences of the course upon which he had entered, would be ready to retrace his steps. He gave the noble lord full credit for a disposition to shrink from any treaty that threatened to produce such misery as must result from the surrender of the people of Parga to the dominion of the Porte. Such a course would indeed be so abominable, that he could not suppose any British minister would give it his sanction [Hear, hear!]. Here the hon. baronet entered into a history of the Ionian Islands, and their continental dependencies, including Parga, from the fifteenth century to the year 1797, when they fell under the dominion of France, in consequence of the conquest of Venice by that power. He next adverted to the transfer of those islands to the joint protection of Russia and the Porte, and the ineffectual endeavours of the pasha of Albania to obtain military possession of the town of Parga. The arbitrary character of this pacha could not be unknown to the House; and his promise to the people of Parga was, that if they surrendered to him, they should be what he called compensated for their present possessions, by being transferred to other places, while, truly, their town was to be occupied by Turks, and their Christian churches converted into mosques. Was not such a proposition peculiarly revolting, he would ask, to every British, to every Christian, to every generous mind? [Hear, hear]. The people of Parga revolted at it, and the terms of the letter in which they rejected the proposition of the pacha, evinced at once the justice of their apprehension from such a connection, and the manliness of their resolution to withstand it. The hon. baronet then read the letter, which was in the following words:—"To "Ali Pasha—We have received your two "letters, and we rejoice that you are well. "The compliance which you require of "us it is not easy for you to obtain; be"cause your conduct, exhibited to us in "the fate of our neighbours, determines "us all to a glorious and free death, and "not ever to a base and tyrannical sub"jugation. You write to us to fall upon "and slay the French. This is not only "not in our power to do, but if it were, "we would decline to do it; for our "country has boasted her good faith for "four centuries past, and in that time "often vindicated it with her blood. How, "then, shall we now sully that glory?— "Never. To threaten us again unjustly "is in your power; but threats are not "characteristic of great men: and, be"sides, we have never confessed to fear, "having accustomed ourselves to glorious "battle for the rights of our country.— "God is just—we are ready: the moment "comes when he who conquers shall be "glorified. So fare you well. Parga, "Oct. 16, 1798."—In the year 1800, the Russians and the Turks entered into a treaty, by which the independence of the Grecian islands was recognized, under the name of the Septinsular Republic. By an unfortunate clause in that treaty, which provided that the Porte should have power to take military occupation of Parga and three other towns, the Parguinotes fell into his hands. The pacha took the inhabitants out of their own country, and placed them in distant parts of the pachawick; he deprived them of their own possessions; and on the pretext of allowing them a compensation in terms of the treaty, he assigned them others in distant parts: and to complete their degradation, he converted their churches into mosques. By the treaty of Tilsit, in 1807, the Grecian islands were given up by the Russians to the French; and it was worthy of being remarked, that afterwards a right hon. gentleman (Mr. Canning), in an official note to the Russian court, had charged them with a breach of faith in thus sacrificing to France the independence of the Septinsular republic. The Russians, having recommended to the Parguinotes to secure a good understanding with the French, completely abandoned them. The pasha, seeing that France had obtained possession of the Ionian islands, entered into a negotiation with the French general for getting Parga ceded to him. The Parguinotes seeing these negotiations between the French general and the pacha, prepared for their own defence, and at the same time made strong application to the French general for assistance. The French general, whose character did not stand high for generosity, refused to give them up, and promised to report to the emperor that they were a free people, and every way worthy of favour. He at the same time sent them a French flag, and troops to defend them. This was in 1807, and the cession was finally refused by the emperor. In 1809 and 1810, admiral Collingwood commanded in the Mediterranean, and took measures to resist the farther progress of the French. Sir John Stewart furnished land forces, and lord Collingwood ships, for an expedition to reduce the Ionian islands. Here he must read extracts from lord Collingwood's instructions to the captain who commanded this expedition: he read from a printed paper which had been laid upon the table two years ago, in consequence of a motion of his for that purpose. Lord Collingwood instructed the captain, that on their landing on any of those islands, the Septinsular, and not the British flag, should be hoisted; the inhabitants should be required to take arms, and the fortresses should not be garrisoned by British troops, their own troops being sufficient for that purpose. Five of the islands were reduced. Corfu, the head of them all, was not reduced, there being not troops sufficient to effect its reduction. The commander of the expedition, in his dispatches, said, that he had great satisfaction in informing that their efforts were attended with complete success. The government of the Ionian republic, it was now determined, should be restored; but the British flag was set up together with the Septinsular flag, and British troops were stationed to defend the several posts till the various offices were properly filled up. When the Parguinotes, whose ancestors had bled for their country, who themselves were ready to bleed for their country, who had been respected by Russia and by France, when they saw this example of British generosity, when they saw the islands reduced by British valour, and restored to freedom by British generosity, could it be supposed that they did not unanimously throw themselves under British protection? On the one side, they saw their friends slaughtered by the Turks; on the other, they saw the Septinsular government restored in the most magnanimous manner. Could they hesitate as to the course to be adopted? This was in 1809—10. We were afterwards too much engaged by the war in other places to carry our successes farther in this quarter, and it was vain to attempt the establishment of an independent government without Corfu. In 1814, the Pasha made an attack on Parga. The Parguinotes applied for aid to the French general, who replied that he could afford them no assistance; that he had no troops for the purpose; and, if he had, that he could not, without instructions from his government, send them to their assistance. They determined, notwithstanding, to make no cession: they made all the resistance possible in the neighbourhood of Parga, and at its wall. The Pasha's army of 20,000 men was repelled, and his nephew, who commanded it, slain. Was this, he asked, a contemptible people? Should we, who were the freest nation in the world, treat lightly a people capable of such struggles in the cause of freedom? Could we, without fellow-feeling, regard the efforts of a people, worthy of the freedom which we enjoyed? Was there a heart in the House that did not compassionate the brave Parguinotes? [Loud cheers]. The Pasha retreated; he was repelled, not routed. They had not numbers enough to pursue him. He built a mausoleum to his nephew, an altar on which the blood of the Parguinotes must flow. Seeing that they could get no assistance from the French, they sent a deputation to general Campbell, with an offer to withdraw their fortunes from France, and to place themselves under British protection, to follow the destinies of the Ionian islands. He granted their request and sent Mr. Foresti's (the English ambassador's) son and sir Charles Gordon, with a strong detachment, to assist in forcing the French out of Paxu, which was opposite to Parga, on the terms that an English garrison should be received, and that Parga should follow the destinies of the Ionian islands. Captain Hoste arrived there at the same time with two frigates. They sent a deputation to him, who received them well, but replied that he could do nothing for them, that he could not attack the fortress; but that if they could get the British flag hoisted on Paxu, he would draw up his frigates under it at all hazards. They got the British flag conveyed into the fortress by an old woman under her clothes! the inhabitants, who had formerly fought against the Pasha, at the same time attacked the sentinels. The British flag was hoisted, the frigates were drawn up under the fortress, and the garrison were made prisoners. The place was in tranquillity in two or three hours after the first movement.—This brought him to the point. The Parguinotes were now under British protection. The object of his motion was to obtain the paper which contained the conditions on which the commanders, by sea and land, gave assistance to the Parguinotes. This document must have been sent home to ministers. He also wished to obtain the answer of our government, if there was any, authorizing what political government was to be placed over Parga by the governor of the Ionian islands. Of the first paper he had a copy, but a motion could not be regularly founded upon it. He would read, however, from this copy the instructions from general Campbell to lieutenant Bretton, respecting Parga. The date was May 1815. Parga was to be considered an appendage to the Ionian islands, and more particularly as an outwork of the garrison of Corfu; it was wisdom to retain it; lieutenant Bretton would attend to the wishes and feelings of a free people who hated the Turks; they were a spirited and independent people, yet docile and mild when treated with civility; the great mass of the people might be depended on, they never would submit to the Ottoman government [Loud cheering]. Such were the instructions then given respecting Parga; such was the character of the people as described by general Campbell. These spirited, free, independent patriots now saw themselves made a sacrifice of to their implacable enemy. They found themselves now driven to the alternative of making the seat of liberty their grave, or of going into exile—an evil scarcely less cruel. He could not, however, suppose that the noble lord opposite would proceed in his purpose. He could not suppose that a people, free, and resolved to preserve their freedom, should in vain rely upon the freest people in the world. He could not suppose that a people, whose independence had been respected by despotic governments, should be deprived of their liberty, or driven from their country by a nation on whom they had placed the greatest reliance, and had placed that reliance because they were themselves free—by a nation who had actually received them under their protection, and promised to retain them in the embraces of freedom. He trusted that, if the House would show a proper feeling on the subject, the noble lord must retrace his steps. The steps taken were not irrevocable. Could it be endured, that the last spot of Greece which retained freedom, which retained Christianity, should be surrendered to despotism and cruelty? Could it be endured, that the Cross should be surmounted by the crescent? Could we neglect the opportunity of uniting so free and brave a people in bonds of fraternity with us? Could we fail to attach their hearts to us by gratitude for the preservation of their liberty? [Loud cheers] He had now given the narration of the case. He was sorry that he had occupied so much time. He would proceed to debate the case with the noble lord. In answer to a question which he had asked, the noble lord was understood to say that he considered himself obliged by the treaty of Paris, Nov. 1815, to make a cession of Parga to the pasha. He was not sure that he had understood the noble lord; if not, he should be happy to be now corrected. Since 1815, there had been no further treaty on the subject. There had been a convention since between a commissioner from our government and a commissioner from the pasha, respecting the terms of the cession of Parga. He would, therefore, meet the noble lord on the treaty of Paris, 1815. There were several treaties then between the several powers; he selected the treaty with Russia, but what effect it could have on the destinies of Parga he could not conceive. Article first sat forth, that the several islands (enumerating them), with their dependencies, should form a free and independent state. If Parga was considered as included in the dependencies, then it must follow the Ionian islands, and be free and independent. Reference was made in this treaty to a treaty in 1800, between Russia and the Porte, in this manner:—"With their dependencies, small islands, such as described in the treaty between the emperor of the Russias and the Ottoman court in 1800." That reference was only for description, and not for pointing out the destiny of Parga at this time. Its destiny could not be determined by that treaty, which by the way, had been observed only so long as was convenient for the parties. We were bound before 1815 in good faith, in generosity (a part of our character in the estimation of the Parguinotes), to protect the inhabitants of Parga. We were not to refer in a posterior treaty contrary to a transaction which had taken them into our embraces. In the treaty of 1800, Prevesa, Bucintro, Volizzo, and Parga were ceded to the Turks. Even if that treaty were binding upon us, we could unanswerably reply—"True, we engaged to give those places to you, and you engaged to preserve their privileges inviolable. Where now are Prevesa, Bucintro, and Volizzo? [Hear]. They are in desolation. Those places, when delivered up to you, enjoyed peaceful tranquillity, the cross stood in their churches, Christianity flourished among them. They were overrun by you: you broke all stipulations in their favour, and you spared the lives of any Christians only to do you menial offices. Restore those places to their former condition, and then we shall consider it our duty to consign Parga into your hands: but we never can give up to you the last European place that erects the Cross of Christ, when we see Prevesa, Bucintro, and Volizzo, in the greatest desolation." [Much cheering.] England had, as it were, given to the Parguinotes a guarantee of future protection, by having the military occupation of their city for a long time. She ought not now to disappoint the hopes which her conduct had raised. He had no wish to take up the time of the House further, but he could not but think that it was the intention of our government to give up the Parguinotes to the power of Ali Pasha, for, by the treaty of 1815 it seemed that the treaty of 1800 was so far recognized, as that compensation should be allowed to those who might wish to leave their country. If the noble lord put that construction upon the treaty of 1815, he ought at least to have gone the whole length of the treaty of 1800, and not adopt part of it to the prejudice of those people, without giving them the benefit of the whole. There was nothing which they dreaded more than to be given up to the power of the Turk: and here he would again ask, what right the Turk had to demand this cession? If he founded his claim upon the treaty of 1800, he should show that he had himself fulfilled that treaty, that he had afforded protection to the other cities which were then placed under his care. What had he done towards them from which it could be hoped that he would act with justice towards those unfortunate people? From all which had transpired of the conduct of this cruel tyrant towards those people—from the confidence they had reposed in this government, and from the protection we had afforded them, it would be unjust, and a breach of faith on our part, to deliver them up to their greatest enemy. The hon. baronet then recapitulated the substance of his leading arguments, and again maintained, that if we were not disposed to afford those people our further protection, we ought at least to place them in the situation in which they were when they applied to us for our assistance. We ought to allow them to struggle for themselves, and give them the same means they had before of defending their liberty. In looking to the condition in which those unfortunate people were placed; in remembering the situation in which they had been; in recollecting the bravery with which they had defended themselves; and in considering the state to which they were now likely to be reduced, he was strongly reminded of that passage in which the poet described Eneas as relating to Dido his departure from Troy with his son and father, at the destruction of that city:—

"Hoc erat; alma parens quod me per tela, per ignes.
Eripis, ut mediis hostem in penetralibus, utque
Ascanium, patremque meum, juxtaque Creusam,
Alterum, in alterius mactatos sanguine cernam?
Arma, viri, ferte arma; vocat lux ultima victos.
Reddite me Danais; sinite instaurata revisam
Prælia. Nunquam omnes hodie moriemur multi."

The hon. baronet concluded, amidst loud cheers, by moving, for "1. Copies of Instructions of general Campbell to sir Charles Gordon, or any other British officer, respecting assistance to be given to the inhabitants of Parga against the French and Turks in 1814, with copies of any requisitions sent to him, or to captain Hoste of the navy, by the inhabitants, upon which such assistance was sent: 2. Of the Dispatches of the naval and military officers who announced the occupation of Parga by the British forces in 1814 to the government at home, with the conditions upon which that occupation was given by the inhabitants, and any engagements, or assurances of protection, entered into with the inhabitants, or given to them by the said officers: 3. Of such parts of any Instructions sent out to the commander in chief in the Ionian islands, since the occupation of Parga in 1814, as refer to that occupation, as announced by the commander in chief: 4. Of Instructions of general Campbell to lieutenant Bretton, when the latter went to take the command at Parga, in May 1815."

Mr. *Maxwell* rose to second the motion. He conceived that if no other principle operated upon the British government but gratitude to those people, that alone was a claim which should entitle them to protection. In looking to the present situation of the Grecian islands, he felt that the noble lord opposite had done a great deal for their regeneration, and as an individual he thanked him for it. Care had been taken to have proper persons sent out from this country, whose constant attention watched over their best interests. He admitted that great benefits had already accrued to the islands from this protection; but while he did this, he should maintain, that we were called upon by motives equally strong to extend our protection to Parga. She had trusted to us for protection. In her confidence she had opened her gates to our troops, to the exclusion of those of another nation by which they had been previously occupied. We yielded to the wishes of the people, in taking military possession of their city; and the relationship which was established, was one of dependence on the one side, and not only implied but avowed protection on the other. That protection, he contended, we were bound in good faith not to withdraw. Parga was a small, but it was a free state. For three or four centuries it had cherished the spirit of liberty, while the countries around had been nearly enslaved by despotism. The liberty and independent spirit of ancient Greece were nourished here, he might almost say, upon this little spot; but if the House did now not interfere, its last ray would become extinct. In looking to the situation in which this city had been placed by former treaties, he would maintain that we ought not to construe those treaties to the very letter, against a people whose liberty they might abridge. They ought to be construed in the most favourable manner possible. It would be a stain upon a free people, such as we were, to become the instruments, in any degree, however remote, of consigning a small but spirited set of men, whose greatest ambition was freedom, to the dominion of a tyrant. The House should consider the character of the man to whose despotic sway this little state was to be consigned: he was a rebel, and had been so all his life, and his acts were tolerated because it was not in the power of the Porte to subdue him: his conduct had been stained with acts so atrocious as no Turkish minister had been found to be guilty of. The hon. member said, he had been in the country, and was acquainted with many of the evils which those people had to deplore; and he was aware that there was nothing which they dreaded more than being placed in the power of a man from whose despotic sway they had every thing to dread and nothing to hope. It was, he maintained, the interest of this country, to preserve the rights of those people: they had strong claims upon our protection, which they deserved, and which he trusted the decision of that night would afford. He trusted the members on both sides of the House would see the justice of acceding to the motion of his hon. friend. It was not by an indiscriminate support of ministers that the affection of members was shown for them. There might be instances and occasions when it might be for the advantage of the minister to oppose him, where it was seen, he had inadvertently fallen into error. If such had been the case in the present instance—if, through some oversight or unintentional neglect, the interest of the Parguinotes had been forgotten, he trusted that, before it was too late, the error would be acknowledged, and the evil to which it would lead prevented. After the manly avowal of error in another place, and after the recent example of a right hon. gentleman in that House, in retracting erroneous opinions, he trusted that there would be no difficulty on the part of his majesty's ministers in admitting that they had been mistaken in their conduct towards that brave and independent people.

Lord *Castlereagh* said, he felt disposed to give every credit to the motives of the hon. baronet in bringing forward this motion, and was glad of the mode in which he had placed it before the House. As the hon. baronet had only called for information, he had no difficulty in acceding to his motion. If the motion of the hon. baronet had been for the discussions which had taken place between this government and the Porte, he should have felt it his duty to have refused them, on the ground that a premature disclosure of pending negotiations might destroy their own end and object. The motion of the hon. baronet had kept free from such discussions; he would therefore consent to it, and reserve his observations until such time as the hon. baronet should call the attention of the House to the information laid before it. It was but justice to his majesty's ministers to have said, that they entertained the most liberal views with respect to the Grecian islands. The question of their occupation arose out of the treaty of 1800. It was very largely discussed, though not settled at, Vienna and at Paris, during the debates on the treaty of 1815: and it was then understood that this government had no right to hold Parga in favour of the inhabitants as against the Porte. This, however, would not be a bar to any future regulation by which their interests might be better secured. It was the general feeling of the allied powers in 1815, that the most liberal policy should be extended towards that people, and this was supported by what he conceived was the duty of this government, that they (the Parguinotes) should have as good a settlement as possible, consistently with the general regulations of the other powers. But, with this disposition on the part of government towards that people, he did still think that they had no other claim upon us, than for our good offices. Every thing which could be done for them in that way his majesty's ministers felt disposed to do. On the subject of negotiation he begged distinctly to state, that there was no convention of any kind respecting this city since the treaty of 1815. There was a species of correspondence between a commissary of Great Britain and one of the Porte, but it did not refer to the possession of Parga. Any negotiation which could be carried on would be with the Porte and not with Ali Pasha: if the place were to be surrendered, it would be to the former. What use he might afterwards make of it, the English government could not guarantee. The negotiations of 1815 had been formed on the 8th article of the treaty of 1800, by which the authority of the Porte over those places had been acknowledged. As to the desolation and destruction of other towns, and the scenes of distress to which the hon. baronet had alluded, he deplored them as much as any man; but he would not say that some part of the conduct of the Parguinotes was not of a nature to justify Ali Pasha in having recourse to hostilities. The object of his majesty's government was, to afford to the Parguinotes a free option of remaining in the country, or of leaving it if they chose, they getting a proper indemnity. To all those who left, that indemnity would be secured; and all who remained would be entitled to the good offices of their country and to enjoy all they would have enjoyed under the treaty of 1800. This was all they had a right to expect. Never till this night had he heard it maintained, that we had a right to maintain this place as against the Porte. He had thought it proper to say thus much in explanation of some parts of the hon. baronet's speech, but would reserve himself to a future occasion for further detail.

Mr. *Scarlett* was happy to hear that the noble lord had no objection to the motion of his hon. friend, as it was likely to lead to a more full discussion of this important question. He looked upon the surrender of Parga as an act as treacherous and perfidious as had ever disgraced modern diplomacy. He was not aware of all the circumstances of the case, and should therefore reserve his more detailed opinion till the papers were before the House. But he should say, that unless some new and extraordinary light were thrown upon the matter, he should doubt whether Parga ought to have been ceded at all. One thing he thought was clear—that we were not bound by the act of 1815, or that of 1800 between the Turks and Russians: or if it were conceived that this latter were binding, we ought to have it all or none. The beneficial part of it ought not to be taken from those to whom it applied, while that which operated against them was suffered to remain According to the papers to which his hon. friend had alluded, the Parguinotes themselves seemed aware that, under the treaty which would consign them to the power of the Turk, they could enjoy no privileges, and all seemed determined to leave a country where they could not enjoy their former freedom. The consequence was, that if we consented to this surrender, we should be giving not a little state or city, but a piece of barren and desolate land.

Sir *J. Mackintosh* accepted the consent of the noble lord to the motion of his hon. friend, as a pledge against the enactment of as perfidious a transfer as could ever disgrace any free country. There was, he contended, nothing in the treaty of 1815 which could oblige us to consummate so treacherous an act. How, he would ask, could we be bound by the convention of 1800? In what part of the law of nations was it discovered, that we had a right to insist on the fulfilment of a treaty against a people towards whom all its contracts had been broken? The Turks had forfeited all claim to benefit from any clause in that treaty: they had themselves violated and shamefully neglected the duties to which it had bound them. If this were so, how could we be bound by the treaty of 1815? He denied any such inference, and the cession of Parga, would be, he maintained, the most abominable that ever was made of or by a free people. There was no example among nations where faith was kept of giving up a free and christian people to a Mahometan tyrant. If the treaty of 1815, was said to renew that of 1800, why not renew it all? Why should one half be kept in favour of a Mahometan tyrant, and the other thrown aside as advantageous to a Christian people? When the papers should come before the House, he would be prepared to show that it was the duty of the legislature to interfere to prevent so gross a violation of the privileges of a free state.

Mr. *Goulburn* did not mean to follow the example of the two last speakers, by entering at present into a discussion on the merits of this question, with a warmth which he conceived uncalled for at present. Those who had attended to the speeches of the hon. members must feel surprised that they should first condemn the cession of Parga, as an act of perfidy, and in the next sentence admit that they were not in possession of facts on which to ground their opinions. How could gentlemen, arguing in support of justice, adopt such a line of conduct, without having facts to go upon? When the measure came to be discussed, as it must be, if any motion was brought forward upon it, he would be prepared to meet the arguments of those who questioned the conduct of ministers on this occasion.

The motion was then put and carried.

FRAME-WORK KNITTERS BILL.] Mr. Mansfield moved the second reading of this bill.

Mr. *Hume* objected to the bill, on the ground that by preventing the manufacture of cheap hosiery it would throw upwards of 3,000 individuals out of employment. If it was necessary to encourage the manufacture of hosiery of a better sort, let a mark be fixed upon them by law. If his objections could be removed in a committee, he was willing to support the principle of the bill: if not, he should oppose it altogether.

Mr. *Mansfield* said, that if the effects of the bill were such as the hon. member apprehended, the House would scout it. He hoped he was not the man that would introduce such a bill. No man felt more than he did for the distresses of the people: their present misery was painful to the feelings of every humane heart. The bill was intended for their relief, and he hoped the hon. member would change his opinion on the subject in the committee.

Mr. *John Smith* said, that the bill was an experiment, and unfriendly as he was to legislative interference on subjects like the present, he would support it, because he felt that the people were reduced to a state of such terrible distress, that it was proper to agree to any measure of alleviation that would afford them consolation.

Mr. *Wilson* supported the bill, on the ground that it was necessary to support the character of our manufactures on the continent.

Mr. *Ricardo* said, he did not altogether agree in the principle of the bill, but he would reserve his observations for a future discussion.

Mr. *Peter Moore* contended, that the bill, so far from having the effect of turning persons out of employment, would have directly a contrary effect.

The bill was read a second time.

## HOUSE OF COMMONS.

*Thursday, May 27.*

GRAMPOUND BRIBERY INDICTMENTS.] The House, on the motion of lord J. Russell, went into a committee on the

Grampound Bribery Indictments. Alexander Lamb was called in, and examined. The examination was conducted by lord J. Russell, Mr. Wynn, Mr. Scarlett, and Mr. M. A. Taylor. The witness stated, that he had been an agent at the last election for the borough of Grampound. He was employed by Mr. Teed, one of the candidates. A list of voters had been put into his hands, which also contained an account of the sums of money which particular individuals among them had received. It was certainly his belief at the time that the sums so marked had been received. It was proposed by Mr. Teed, to put the bribery oath to some of these persons, but several gentlemen remonstrated against it, saying it was of no use, and could only lead to the commission of perjury Mr. Teed then consented to withdraw it.—The witness was here ordered to withdraw, whilst the committee considered whether the poll book was admissible evidence. It being, after a short conversation, resolved in the affirmative, the witness, not having the book in his immediate possession, was ordered to produce it on his next attendance. In continuation of his testimony he added, that the township of Grampound had threatened to pelt those who should tender the bribery oath to them before the returning officer. Amongst the gentlemen who had objected to pressing the oath was Mr. Shaw, one of the candidates. He was not aware of any division or opposition of parties prevailing at that time. He had accompanied Mr. Teed on his canvass, and told the voters, that he knew certain sums of money had been distributed amongst them, and that he had evidence to prove it. He was examined before the grand jury, when bills of indictment were preferred against several of the electors. Twenty of these persons had been subsequently tried and convicted; seven or eight more, in consequence of information which they had given, not being brought to trial, although bills of indictment had been found against them. The list with which he was furnished in the first instance contained the names of those who had not, as well as those who had, received sums of money in consideration of their notes. Witness did not recollect the number of the latter. He had been employed to carry on the prosecution, and knew, that if the parties convicted were to be brought up for judgment, it should have been done within the first four days of the last term. He had, however, received no instructions to that effect, and he supposed the reason of this was, that the matter was under the consideration of that House. There had been no communication between him and Mr. Teed respecting the propriety or impropriety of bringing the parties up for judgment. Early in April he had ceased to be employed by Mr. Teed, with whom, however, his account was not yet settled. Other persons had been concerned in the prosecution, and from them he had received part of his charges. The names of these persons his professional duty did not allow him to disclose. He could not tell whether the demand at present against Mr. Teed was large or small; it certainly was more than 100*l.*, and less than 2,000*l.* He believed that those twenty persons would have been brought up for judgment, had it not been for the proceedings before this House relative to the borough. Witness had ceased to be agent for Mr. Teed before the Grampound election committee was appointed.

Here the evidence of this witness closed, and John Edwards was called to the bar, and examined by lord John Russell. Witness stated, that he was present at the last election for Grampound, in the character of a solicitor; that he had been requested to attend in order to support one of the candidates, but that he had no interest himself in the election. He then detailed the proceedings which took place at the election. He had conversed with three or four of the electors, who had told him that more than twenty of the electors had been bribed. He then, apparently with some reluctance, mentioned the names of those persons with whom he had conversed, and stated his belief that they would not have taken bribes previously to the election. He did not ask them directly if they would take the bribery oath, but he insinuated a question to that effect; and they appeared to understand him, but did not say whether they would or would not—they certainly did not say they would not. Mr. Shaw demanded the bribery oath to be tendered, but it was withdrawn from a conviction of the state in which the electors were.—Examined by Mr. Scarlett. Witness had been acquainted with the electioneering proceedings at Grampound for the last 24 or 25 years. He never advised the electors at any previous election, although, on seeing them singly, or in small parties, he had often told them what they were likely to bring on themselves by their practices. The practice to which he alluded, and which he stated to them on these occasions, was that of receiving bribes for their votes. None of them denied the fact, but they excused themselves on account of their poverty, and considered it a privilege to which they were entitled. Witness stated to them at the last election, that that would probably be the last occasion on which they would ever stand in the character of electors. He had come to the knewledge of the fact that they required to be paid for their votes, by many of them asking himself for money for their votes. He did not know how long these practices had existed, but he had reason to believe they had existed at the two previous elections. He believed very few of the electors were exempt from the propensity to demand money for their votes; two or three, he believed, would not, and his belief was founded on his knowledge of their characters. He had no doubt that the rest of the electors were willing to sell their votes. One of the electors had proposed that 8,000*l.* should be forthcoming at a limited time after the election, to be divided among the electors for both seats. It was Timothy Symons, mayor of Grampound, who had proposed 8,000*l.* to be forthcoming.

The chairman reported progress, and asked leave to sit again.—The House then adjourned to the 2nd of June.

## HOUSE OF COMMONS.

### *Wednesday, June 2.*

NAVY ESTIMATES.] The House having resolved itself into a Committee of Supply, to which the Navy Estimates were referred,

Sir *G. Warrender* rose to move the Navy Estimates. Upon this subject the hon. baronet said he should think it unnecessary, if not presumptuous on his part, to make any speech, or to enter into any detail, as the question had already been so amply discussed, while all the details connected with it were so perspicuously stated, in the report of the finance committee; therefore, he felt that it rather became him to wait for any observations which might be made on the other side of the House, and to which he would endeavour to submit a satisfactory reply. The hon. baronet, after stating, that at no former period was our navy in a condition of greater efficiency than at the present moment, concluded with moving, "That a sum not exceeding 2,483,013*l.* 12*s.* 7*d.* be granted to his majesty for the ordinary establishment of the navy for the year 1819."

Mr. *Calcraft* expressed his surprise at the course pursued by the hon. baronet, particularly in referring to, and wholly relying upon, the statements of the finance committee. Was it, from the observation of the hon. baronet, to be taken for granted that he adopted the recommendation of the finance committee? That committee had recommended the suppression of the Naval Asylum; and was it to be understood, that the hon. baronet and his colleagues meant to act upon that suggestion? He was sorry the hon. baronet had declined to favour the House with any explanation on this, as well as on every other point of detail; for he was one of those who thought so highly of the utility and character of the Naval Asylum, that he could not, without pain and astonishment, contemplate the idea of suppressing such a meritorious institution. While, indeed, the Military Asylum was so liberally provided for, without any objection or comment on the part of the finance committee, the recommendation of that committee, to suppress the Naval Asylum, must surprise the judgment and revolt the feeling of every considerate man in the country. He trusted, therefore, that ministers would not attempt to carry that recommendation into effect, notwithstanding their extreme disposition to economy, with regard to every thing that related to the navy. This was no doubt a branch of the public service in which ministers evinced a readiness to practise the most niggardly economy—to pare down and reduce in every direction. But that was a description of economy or parsimony of which he could by no means approve; on the contrary, he would rather be an advocate for the vote of a greater number of men for the service of the navy than was at present proposed. According to this proposition, only 20,000 men, it seemed, were to be voted altogether; that is, 14,000 seamen, and 6,000 marines; and considering the number voted in former years of peace, he was of opinion that this number was much too small; for it was his desire to maintain the navy in its proper rank and elevation, and therefore he witnessed with great regret the disposition manifested of late years to destroy the due equality and relation between our military and naval force. At other periods of peace, the number of men voted for the army and navy were in general pretty nearly on a par, the superiority being mostly on the side of the navy. But how very materially different was the case at present, when no less than 100,000 men were voted for the army, while only 20,000 were voted for the navy! This was a departure from our long established policy which he most sincerely deplored, as it implied a disposition to abandon our old system of defence, and rather to look for protection through the power of an army, than to rely upon those good old wooden walls, which had for ages proved our best and safest guardian. There were many points, as well as that respecting the Naval Asylum, with regard to which he was surprised to find that the hon. baronet had offered no explanation. Nothing was said as to retrenchment in the official expenses of the Admiralty, or in any other department. Upon the much called for reduction of the two lay, and unnecessary, lords of the Admiralty, he did not then mean to make any comment, as he understood it to be the intention of his hon. friend (sir M. W. Ridley) again to bring that subject before the House. But as the present was an occasion upon which it was quite proper to advert to the general state of our finances, he must express his surprise, that while it was said that new taxes were about to be proposed, not a word was heard about reduction or retrenchment in any quarter. Every useless place, every dispensable appointment should be set aside, and every practicable retrenchment should be made, before any new impost whatever was brought forward. Before, indeed, any additional tax was even talked of, it was the duty of parliament and government to show that they duly considered the principles, the feelings, and the purses of the people [Hear, hear!]. The people were universally anxious for the support and encouragement of the navy; but a very different disposition was known to prevail elsewhere; for while every degree of protection and favour was afforded to the army—while every possible mark of distinction and advantageous mode of promotion were conferred upon the members of that body, the navy was slighted, nay, almost frowned upon. This system he regarded as a most unfortunate omen for the country, while it was decidedly in contradiction to the ancient practice of our government.—But to return to the state and conduct of our finances: he begged to repeat his determined objection to the idea of imposing any new tax to meet a large loan, or any other purpose, until every possible reduction was made in the public expenditure; and he could discover the means of making various reductions in sundry accounts now before the House. These accounts, then, ought to be most minutely scrutinized by the House; and among other items, it would be seen that there was a great disproportion between the expense of managing the collection of the revenue in different departments. He was told, that a proposition had been made to the chancellor of the exchequer, for correcting that disproportion to a considerable extent. This proposition proceeded, as he understood, from the board of excise, by which the revenue of that department was collected at the rate of *5l.* 15*s.* 6*d.* per cent, while the collection of that of the customs cost no less than 11*l.* 13*s.* 9*d.* per cent; and, according to his information, the board of excise suggested the means of reducing the expense of the latter to their own standard. By the adoption of this plan, he was assured that a saving of no less than half a million annually would accrue to the nation. He would ask, then, whether such a plan had been proposed to the right hon. gentleman, and whether it was meant to carry it into effect? But if so great a disproportion could be corrected in the collection of the revenue in England, what was to be thought of applying the principle to Ireland, where the revenue of the customs was collected at an expense of no less than 21*l.* 18*s.* per cent? The saving, then, which would result from the application of such a plan to Ireland must be very considerable indeed. He trusted, therefore, that this plan would be fully investigated, and that measures would be taken to carry it into effect. There were many other points of detail, into which he did not mean to enter on this occasion, as he had an opportunity of discussing them in a committee elsewhere, and as he should probably bring the subject again before the House.

Sir *G. Warrender* adverting to the complaint of the hon. gentleman as to his abstinence from details which were already before the House in the report of the finance committee, observed, that the hon. gentleman was in error, if he supposed that there was any intention whatever to suppress the Naval Asylum. On the contrary, the sum of 14,000*l.* for the support of that institution, was included in the proposition then before the committee; therefore that establishment was to be maintained, whatever modification of its management, or reduction of its expense might be made, pursuant to the recommendation of the finance committee. The hon. gentleman had also complained of the amount of the vote now proposed for the service of the navy; but to this complaint he should answer, that those at the head of the naval department, and who were responsible for its proper management, were of opinion that the number of men proposed were quite sufficient, and he could add, for the satisfaction of the House and the country, that the navy, so far from being allowed to go into any thing like decay under its present direction, was in such a state, that upon any occasion it might be promptly put into a condition of the utmost vigour and efficiency. As to the relative amount of the navy and army, it should be recollected, that the case of each was very materially different, as the former could be so expeditiously and easily raised to any amount required, while to recruit and discipline the latter would necessarily be attended with great difficulty and delay. Besides, it was to be considered, that with respect to the navy there was no analogy between the present and any former peace, as the fleets of all Europe were now so reduced in consequence of the gallant conduct of our navy. The necessity of a large vote for the navy was also diminished at present, in consequence of the various improvements made in our ports and dock-yards, as well as in our roadsteads, during the late war. But the main point was that of which he could confidently assure the House, and for which the Admiralty was fully responsible, namely, that in the event of any new war, the navy could be speedily put in a state for vigorous and efficient action.

Sir *M. W. Ridley* agreed with the hon. baronet, that the lords of the admiralty were responsible for the condition of the navy, and he was truly glad to learn, that it was not intended to act upon the recommendation of the finance committee by putting down the Naval Asylum, as he firmly believed that there was no establishment in the country, which the people, whatever might be the state of their circumstances, would be more ready to support. It would, indeed, be surprising, if, while 39,000*l.* were voted for the Military Asylum, any man of consideration or common feeling could be found to object to the grant of 14,000*l.* for the support of such an establishment. Therefore, the recommendation of the finance committee to suppress this institution was really matter of astonishment. But there were some observations in the report of that committee upon this subject, which were truly ludicrous, and particularly those recommending the dismissal of the French teachers from the Asylum, lest, forsooth, the knowledge of a foreign language should dispose the pupils to quit the service of their country. Adverting to the state of our finances, the hon. baronet observed, that if every useless office were done away, and every practicable retrenchment made in the public expenditure, he would be one of the last to oppose any new taxes that might be required for the public service. But until such proofs of economy were afforded by government, he should feel it his duty to resist the imposition of a single shilling of additional taxation. Before he could consent to such taxation, he must, for instance, call for the abolition of those totally useless offices, the two lay lords of the Admiralty. He also thought there was no occasion, in time of peace, for the maintenance of two secretaries at the board of admiralty. The services of the hon. gentleman opposite (Mr. Croker) being unnecessary in that House, as was evident from his absence for a great part of the session, he might entirely direct his time to the business of the admiralty office, and thus relieve the public from the expense of another secretary. But there were many other points in which reduction might be made in the expenditure of the Admiralty. The aggregate of the saving from which, he estimated at 200,000*l.*; and, therefore, he should now conclude by moving, as an amendment, that the amount of the proposed grant should be 2,283,013*l.* 12*s.* 7*d.*, being a diminution of the sum originally proposed, to the extent of 200,000*l.*

Lord *Compton* spoke against the amendment. He differed from the hon. mover of it, with respect to the propriety of maintaining the two lay lords of the Admiralty; upon which question, indeed, the House, after ample discussion, had already decided. It was very true, that it was competent to any gentleman to bring the same question again under the consideration of the House; but then the House, in consistency, could not fail to maintain its own decision. But he also objected to the hon. member's proposition, because it had very much the complexion of a party question. He did not mean to impute any improper motive to the hon. baronet; but he must deprecate any proceeding which had a tendency to embarrass the operations of government. He concurred with the hon. baronet, that it was the duty of government to make every practicable retrenchment, and he had no doubt that ministers would discharge that duty by diligently applying their minds to the consideration of the subject, especially during the approaching recess. The noble lord concluded with observing, that he could not express any opinion upon the subject of the proposed reduction of the expense in the collection of the revenue, as he had no knowledge of the merits of the plan alluded to by the hon. gentleman who spoke second in the debate.

The Hon. *F. Douglas* animadverted upon the reference of the noble lord to a former decision of the House with respect to the junior lords of the Admiralty, and expressed his satisfaction to think that it was competent to the House to revise that decision: for it was known that the House was rather surprised into that decision by the statement of an hon. officer (sir G. Cockburn), that the existence of such appointments was somewhat conducive to the public service. But as the House was now called upon to look at those appointments upon a reconsidered view of retrenchment, with a large loan, and new and extraordinary taxes in contemplation, something more than such a statement was necessary to reconcile the House and the country to the toleration of such offices. It was manifest, that the new principles of finance which had been recently and wisely determined upon in consequence of the report of the Bank committee, would create a great alteration in the financial system of the country; that this alteration would be productive of considerable uncertainty and risk; that their adoption would, in fact, operate as a new tax upon the public, and be likely to lead to considerable difficulty and distress. The measure alluded to was, in his judgment, evidently wise and necessary, although some public embarrassment must follow such an important change; but that was not the only embarrassment which the country had to apprehend; for it was known, that we were on the eve of having a considerable amount of new taxes proposed, among which he was surprised to learn there was one which the chancellor of the exchequer had himself voluntarily abandoned, from a consideration of its peculiar pressure upon the middle and lower orders of the people, namely, the malt tax. It was then obviously necessary to make every practicable retrenchment. As to the two lay lords of the Admiralty, he was not so anxious for their suppression from any consideration of the amount of the saving that would result from the measure, as with a view to satisfy the people of the resolution of the House to promote economy. He was, perhaps, desirous for economy on a larger scale than even any of the gentlemen on his side of the House; for he was of opinion, that as the expense of the last exceeded considerably any former war, so the reduction in the present peace should, in the same proportion, exceed that of any former peace whatever. The House was told by the gallant officer to whom he had already alluded, that the maintenance of the two lay lords of the Admiralty was necessary to the public convenience, and to afford other lords of the Admiralty some opportunities for personal relaxation. Such an argument for the support of such offices might, perhaps, be admissible in ordinary times; but, in the present circumstances of the country, he could not allow that it was entitled to any attention. The gallant officer had, as well as other gentlemen, referred to former periods for precedents in support of the resolution to maintain those lay lords; but what period in our history had any analogy to the present circumstances of the country, loaded as it was with an enormous debt and enormous taxation? He did not seek for retrenchment, so much from any consideration of the amount to which that retrenchment could be practicably made, as with a view to reconcile the people to bear their burthens with patience, by showing the anxiety of parliament to grant them every possible relief. It was on that ground that he approached this question, and was solicitous for the suppression of the unnecessary offices alluded to. In venturing to call those offices unnecessary, he would take the liberty of asking the gallant admiral, whose professional reputation stood so very high, and whose private honor was in every respect so unquestionable, whether, in the face of his country and of his profession, he could consistently declare that the maintenance of the two junior lords was actually indispensable to the performance of the business of the Admiralty? For himself, he must say, that he could not possibly think them so, as it was notorious, that one of these junior lords spent no less than five months of the last year in Bedfordshire, while the other was nearly half the year among his constituents. The allusion of the hon. mover to the finance committee, he really heard with surprise, for he supposed that committee so completely damned in public estimation, that no one would be found to quote their authority [Hear, hear!]. Whatever reduction might be meditated or recommended by that committee, it was clear that nothing would be attempted at all likely to interfere with the parliamentary influence of ministers: for any place held by any member of that House, or by any of his immediate connexions, was held sacred, however useless or unnecessary such place might be. To this tenacity he ascribed the support of those two junior lords of the Admiralty, notwithstanding the proofs which had appeared that they were totally unnecessary. Adverting to the different treatment which the navy and army had experienced from government, he observed, that the utmost prodigality was shown to support the wishes and inclinations of the Crown, while the interests and desires of the people were totally slighted. Therefore, the army was raised to an unparalleled height in peace, while the navy was comparatively overlooked, and when he heard an attempt made to justify this novel system, on the ground that all the continental powers also maintained large armies in peace, he would say, let us maintain our navy in its due rank and power as the old as well as the best means of defence against such armies. But the attempt to justify an increased military force upon any reference to the conduct of other powers, he regarded as a maxim drawn from that continental school into which this country had been degraded by the principles and proceedings of the noble secretary for foreign affairs [Hear, hear!].

Sir *G. Cockburn* said, that as he had been called on in so personal a manner by the hon. gentleman, he had no hesitation in stating, and in staking his private as well as his public character on the statement, that it was necessary for the safety of the country that the admiralty-board should remain constituted as it was at present. It was his firm conviction that the board could not be better constituted than it then was; and that if the House reduced it, they would deprive the country of the benefit which was at present derived from it. With respect to what had been said by an hon. member on the subject of the difference between the state of the soldiers and sailors, all he should say was, that the seaman had a certain comparative advantage; for, when the soldier was discharged, he had no occupation open to him, whereas the sailor had the merchant-service ready to give him employment; and the fact at present was, that there was a great difficulty in getting the few ships in commission manned. In war-time, merchantmen were mostly worked by foreigners: since the peace, these persons had returned home, and merchants, of course, took advantage of the discharged men from the king's ships, so that some of the latter were now six weeks or two months endeavouring to make up their complement. This was a sufficient proof that there was at present no distress among seamen for want of employment.

Mr. *F. Douglas* said, he had not inquired whether the navy board, as at present constituted, was useful to the public service, but whether the gallant admiral could state that the two lay lords were absolutely necessary. To this inquiry the gallant admiral had in fact made no reply.

The committee then divided on the original resolution: Ayes, 164; Noes, 97; Majority 67.

*List of the Minority.*

Abercromby, hon. J.
Althorp, visct.
Burrell, sir C.
Bankes, Henry
Barham, J.
Becher, W. W.
Bernal, R.
Bennet, hon. H.
Benyon, B.
Birch, J.
Calcraft, John
Calvert, C.
Calvert, N.
Carhampton, earl of
Campbell, hon. J.
Carter, John
Cavendish, H.
Clifton, lord
Coffin, sir I.
Colborne, N. R.
Concannon, L.
Crompton, S.
Davies, T. H.
Denman, Thos.
Douglas, hon. F. S.
Duncannon, visc.
Dundas, hon. G.
Dundas, Thos.
Ebrington, visc.
Ellice, Ed.

Euston, earl of
Fazakerley, Nic.
Fellowes, N.
Fergusson, sir R. C.
Folkestone, visc.
Gordon, Robt.
Graham, Sandford
Grenfell, Pascoe
Gaskell, B.
Griffiths, J. W.
Guise, sir W.
Gurney, R. H.
Harcourt, J.
Hamilton, lord A.
Harvey, D. W.
Hill, lord A.
Hume, Jos.
Hutchinson, hon. C. H.
Lamb, hon. W.
Lamb, hon. G.
Lambton, J. G.
Le Fevre, C. S.
Lemon, sir W.
Lubbock, sir John
Mackintosh, sir J.
Milton, visc.
Maxwell, John
Merest, J. W. D.
Mills, G.
Monck, sir C.
Moore, Peter
Morpeth, visc.
Newport, rt. hon. sir J.
Newman, R. W.
North, Dudley
Onslow, A.
O'Callaghan, J.
Ord, Wm.
Osborne, lord F.
Palmer, C. F.
Parnell, sir H.
Pelham, hon. C. A.
Philips, Geo.
Philips, Geo. jun.
Primrose, hon. F.
Protheroe, Ed.
Powlett, hon. W.
Ricardo, David
Rowley, sir W.
Russell, lord John
Russell, R. G.
Smith, John
Smith, W.
Smyth, John H.
Spencer, lord R.
Stewart, Wm.
Stuart, lord J.
Symonds, T. P.
Shelley, sir John
Tavistock, marq. of
Taylor, M. A.
Thorp, ald.
Tierney, rt. hon. G.
Waithman, ald.
Williams, sir Rt.
Wilson, sir R.
Wood, ald.

TELLER.

Ridley, sir M. W.

Sir G. Warrender next moved, "That a sum, not exceeding 1,631,628*l.*, be granted to his majesty, for defraying the charge of what may be necessary for the building, re-building, and repairs of ships of war in his majesty's and the merchants' yards, and other extra works, over and above what is proposed to be done upon the heads of wear and tear, and ordinary, for the year 1819."

Mr. *Hume* said, that taking it for granted, on the word of the hon. baronet, that the report of the finance committee was to be considered his speech on the grant before the House, he should beg to know, whether it was intended to adopt the suggestion of the committee respecting the Naval Asylum. He thought the House should not vote this grant till estimates of all the naval works had been produced. The committee had voted 15,000*l.* for the works in Harlbowline Island, and in that case there was an estimate of the expense; but they had also voted 20,000*l.* for Bermuda, 15,000*l.* for Jamaica, and 20,000*l.* for Trincomalee, although they had no estimate of the sums that would be required to complete the works in those islands. He would suggest that the amount of these votes be deducted from the grant, till the estimates of the expense were laid before the House. They could not do better, he conceived, than to follow in this instance the directions of the finance committee, who recommended that no vote should be granted till an estimate of the expense was put in. He should also like to know whether the grant to the board of longitude was intended for the present occasion, or was it to be an annual vote? He agreed with the committee in thinking, that the establishment should be suited to the circumstances of the country. He certainly thought that reductions should be made rather in the army than in the navy estimates; but at the same time he hoped, that his majesty's ministers would attend to the suggestions of the committee, and carry into effect all the reductions recommended, whether in the army or in the navy. He trusted that in every branch of the expenditure, ministers would endeavour to make the estimates approximate to the scale by which they were regulated before the war. When it was considered that every expense had been increased by the system of a paper currency, he hoped they would now, when about to revert to a metallic circulation, reduce all the salaries of public officers to what they were in 1797, when the restriction was first imposed on cash-payments. He repeated, that the House would do well to reduce every salary that had increased since 1797, to the scale of that day; and in that case, he would venture to say, that no additional taxes would be necessary. He should shortly submit a motion to the House, the object of which would be to ascertain the amount of salaries paid to public officers in the year 1797, and also the amount of those paid at present, in order to see how they should now be reduced; and he was confident that, if the House would entertain that motion, it would be productive of the greatest benefit. The civil list had increased enormously during the last twenty-two years, and he was confident that if it, as well as all the salaries paid by government, were reduced to the scale on which they were in 1797, there would be no need for any additional taxes. He should conclude by proposing, that the sum of 55,000*l.* being the allowance for works in Bermuda, Jamaica, and Trincomalee, be deducted from the proposed grant.

Mr. *Croker* observed, that the recommendation of the finance report was, that no new works should be commenced, without the estimates being first produced. To that recommendation the Admiralty had strictly attended. The works alluded to, had been some time in progress, and it was impossible to state what the precise expense would be. If the hon. member looked at the estimates of preceding years, he would see that the grants now proposed were considerably lower in amount. That was, in his judgment, the true progress of economy, to diminish the scale of expense gradually, so as not to effect the public security, but to have it in their power to be prepared for any exertion which a public exigence might require. With respect to the grant to the board of longitude, that was at present 4,000*l*., while the grant in preceding estimates was 10,000*l*. He sincerely hoped that every farthing of it might be expended. The hon. member then defended the grant to the Naval Asylum. It was to be recollected that it was originally a private charity, with funds to the amount of 100,000*l*. When the government took it, with its funds, under its superintendence, it was bound to make adequate provision for its support.

The amendment was then negatived without a division, and the original resolution carried. Sir G. Warrender next moved, "That a sum not exceeding 419,319*l*., be granted to his majesty, for the purchase of provisions for troops and garrisons on foreign stations, and the value of rations for troops, to be embarked on board ships of war and transports, for the year 1819."

Sir *M. W. Ridley* took that opportunity to put some questions respecting the works going on in some of the public docks and yards. He would begin with the works at the Deptford yard, the grant for which, in 1818, was 34,468*l*. The estimate now called for to complete the work was 27,000*l*. making an excess, on a comparison with the original estimate when the first grant was made, of not less than 20,000*l*. He next desired explanation respecting the works at Woolwich dock-yard. In 1818, a sum of 25,000*l*. was granted for those works—the estimate now called for was 26,450*l*. and it was said 11,000*l*. would be wanted to complete them. In Chatham also, in 1818, 10,940*l*. was voted to roof in the dock, and 5,500*l*. was now wanted to complete it. With respect to the works carrying on at Sheerness dock-yards, 433,800*l*. had been the first estimate; last year 170,000*l*. was granted on account; and 555,800*l*. was the estimate now made out to complete the works, making a total of more than 700,000*l*. and an excess of 277,000*l*. over the original estimate. In Plymouth, and other public depots, a similar excess of the first estimate would also be found.

Mr. *Croker* trusted he could give a satisfactory explanation to the inquiries of the hon. baronet. As to the works at Deptford, the excess of expense had arisen from the foundation of the wharf-wall of the victualling department having been discovered to be in a considerably worse state than was at first imagined. It was some hundreds of years old, and on closer examination, patching up was deemed insufficient, as the piles were quite rotten, and it was obliged to be rebuilt. The augmentation of the expense of the estimate at Woolwich had been occasioned by the discovery of Mr. Rennie, that, by a change of the line of the wharf-wall, the enormous expense (sometimes 20,000*l*. a year) of removing the mud which accumulated in the front of the dock might be saved. This saving was effected by altering in a small degree the line of the water, an alteration which, while it greatly diminished the public expense, deepened also the bed of the river. The vast improvements now carrying on at Sheerness, had baffled all attempts at an adequate estimate before hand, from the difficulties interposed by the nature of the ground in the progress of the work. The expenditure under this head was now under revision in all its branches, and he had no doubt would in future be carefully examined in detail.

The resolution was agreed to. Sir G. Warrender next moved, "That 284,321*l*. be granted, for the expense of the Transport Service, for the year 1819."

Sir *M. W. Ridley* begged to take that opportunity of again calling the attention of government to the state of the unemployed pursers of the navy, and their present situation, as contrasted with their previous rank and emoluments. Of clerks who had passed seven years service, and also passed their examination as acting pursers, there were, he believed, about 25 or 26 excluded from their allowance by the regulation of the order in council of 1814; and when it was considered that

12 or 1300*l.* would give a sort of pittance to such persons, he strongly urged that the Prince Regent should be advised to rescind this order as affecting them. He barely threw out this suggestion, the adoption of which would prevent him from making it on a future day the subject of a specific motion.

Sir *G. Cockburn* lamented that he could not concur in any recommendation which would tend to augment the half-pay list; nor could he consent to any addition whatever to the list, except in cases of vacancies.

Mr. *Croker* said, that the hon. baronet's appeal was part mixed up in his compassion for the situation of some of these individuals, and part in his idea of the justice of their claims. With respect to the compassionate part of the appeal, he could assure the hon. baronet, that he lamented as much as any man that he could not, with a due sense of economy, give the sought-for relief. The justice of the claim he was not so easily prepared to admit. The state of the case was this—according to the old plan, there were exactly as many pursers as there were ships in commission; and when a ship was lost or broken up, no new purser was appointed until another ship was built or put in commission. This was considered very hard upon the pursers thrown out of employment in this manner, and a custom grew up of bearing pursers on what was called the check of the yard, with an allowance of 1*s.* 2*d.* or 1*s.* 3*d.* each per day, until the new ship was put in commission. During the late war, an alteration in this plan took place, and so rapid from a variety of causes, was the appointment of pursers, that there were at one time actually 1,000 pursers, though there were only 500 ships in commission. In 1814, the board of admiralty regulated the number, and adopted the system of half-pay; and it was then resolved, that no more pursers should be appointed until the number existing was reduced to the number of ships in commission. The expense of the old plan was 33,800*l.*, of the new plan 54,800*l.*; so that by the latter the pursers were gainers of upwards of 20,000*l.*

The resolution was agreed to.

Ordnance Estimates.] Mr. *Robert Ward* then, in pursuance of his notice, brought on the Ordnance Estimates. He commenced by giving a brief statement of the amount of the ordnance expenditure, according to the estimates for the current year. From the necessity which had arisen of making retiring provisions in a number of cases after the peace, there had been a considerable excess in the half-pay and superannuated branch of this department of the expenditure, which amounted to about 43,000*l.*; but in every other branch of the department the utmost retrenchment was adopted, and the saving this year amounted to 50,000*l.* 2*s.* 9*d.* The reduction in point of numbers since the peace amounted to 1,824 officers and men in the Sappers and Miners corps. The number of men in this branch was, last year, 9,759; it was this year 7,939. And the board of ordnance, acting strictly up to the recommendations of the committee of finance, had reduced their expenditure from four millions and upwards to about 1,100,000*l.* The hon. member then moved, "That a sum not exceeding 386,222*l.* 3*s.* 11*d.* be granted to his majesty, in full, for the charge of the office of ordnance, for land service, for Great Britain, for the year 1819."

Mr. *Hume* wished to ask the hon. gentleman, why the manufacture of gunpowder was so extensively continued, as it was an article that, in the event of its being required by war, could be made with great speed? One of the items under that head was 10,500*l.* He was also desirous to know in what manner government intended to fill up the vacancies in the staff of the ordnance? He understood that an arrangement had been made by the present master-general, to fill up every other vacancy either from the cadets at Woolwich, or from the half pay. He trusted that that arrangement would be made a general one in the army. To fill up vacancies by other means would be a double injustice. It would be an injustice to the public to saddle them with the expense of new commissions, and it would be an injustice to the brave men on half pay, who had so gallantly served their country. Many of the proposed estimates, in his opinion, required consideration. There was on the table of the House a report from a committee (the committee of finance), which was attended to by his majesty's ministers whenever it suited their purpose to attend to it, and neglected whenever it did not. In that report it was recommended that the newly acquired colonies of Ceylon, the Mauritius, the

Cape of Good Hope, Malta, and the Ionian Islands, should pay the expenses of their own military establishments; and yet there were separate items for those colonies, amounting in the whole to 26,000*l.* On this and on every other point of public expenditure, government would do well, under the present exigency, to suspend a proposition for voting a single shilling, until the indispensable necessity for doing so should be established.

Mr. *R. Ward* observed, that with respect to the manufacture of gunpowder, it must be evident that a great and an economical alteration must have taken place, when the manufacture for the use of government was reduced from 30,000 barrels annually to 1,000. It was, however, essential to preserve the existence of a manufactory which had, beyond all doubt, carried the article it produced to such a degree of perfection, as to exceed, in point of excellence, that made in any other part of the world. Besides, the continuance of the manufacture in the reduced rate at which the work was going on, kept in employment those old servants who must otherwise be provided for by pensions. With regard to the hon. gentleman's wish to know whether or not it was intended to fill up the vacancies in the staff from the half-pay, he had only to reply, that there was no artillery staff. As to the observation respecting the newly acquired colonies, the recommendation in the report of the finance committee, to which the hon. gentleman alluded, was a consideration of great national policy, on which his majesty's government had not yet determined; until which determination, it was of course his duty to propose to parliament that they should be protected in the usual way.

The resolution was then agreed to. On a resolution for granting 10,000*l.* for defraying the expense of the reduction of the Ordnance Military Corps,

Mr. *Hume* again adverted to the manufacture of gunpowder, and said, that unless it was made of a better quality in the royal mills than in mills belonging to private individuals, the reason assigned by the hon. gentleman for the continuance of that expense to the public was nugatory; and that at any rate the charge of 7,000*l.* for 1,000 barrels, appeared to be enormous. He wished to ask the hon. gentleman how it happened that the ordnance accounts for 1814 were not all delivered?

Mr. *Ward* replied, that there was great difficulty in making up and procuring the accounts adverted to by the hon. gentleman, in consequence of the officers on whom that devolved being dispersed in all parts of the world. Every diligence was used by the ordnance department to procure them as speedily as possible; and in some instances, they have been under the necessity of resorting to prosecutions for that purpose.

The resolution was then agreed to.

EXCHEQUER BILLS.] The *Chancellor of the Exchequer* said, that he had five distinct grants to propose to the consideration of the committee. The first was, "That a sum not exceeding 8,599,600*l.* be granted to his majesty, to pay off and discharge Exchequer Bills charged upon the supplies of the year 1819, unprovided for."

Mr. *Grenfell* said, he was not desirous at the present moment of reviving the discussion on the sinking fund, but as government were now on the eve of raising a large sum of money by loan, he appealed to the right hon. gentleman, he implored the House to consider the contents of the paper which, on his motion, had been laid on the table of the House, and which exhibited at one view what would have been the practical effects of the adoption, with reference to the last four loans, of the recommendation which he had so frequently pressed on government. By that paper, it appeared, that if the system he had recommended had been acted upon on the occasion of the last four loans, viz.—the loan for 27 millions in June 1813; the loan for 22 millions in November 1813; the loan for 24 millions in the beginning of 1814; and the loan for 36 millions in 1815, the practical effect would have been the saving to the commissioners for the reduction of the national debt, and consequently to the country of no less a sum than six millions, producing annually 268,000*l.*, a sum more than equivalent to the produce of that odious and abominable mode of raising revenue—the lottery. We were now on the eve of another, and if rumour were to be believed, of a large loan. The present amount of the sinking fund was between 15 and 16 millions. Supposing the intended loan was to be 30 millions, he left it to the House to determine what would be the effect of the junction of loan-contractors, which a loan for so large a sum would necessarily occasion, and which would deprive the public of the benefit of competition; which effect might be avoided by taking the sinking fund, or a part of it, in diminution of the loan. He intreated the House to take this important subject into serious consideration, and he trusted that the right hon. gentleman would not commit himself upon it, until that serious consideration had taken place. This led him to another observation. A rumour was very prevalent to day, which he conceived was nothing but a calumny on the right hon. gentleman, and should continue so to conceive it, unless he had the right hon. gentleman's own authority for believing it. It was a rumour, however, which every body had heard, namely, that the right hon. gentleman had communicated to certain loan-contractors, and to them alone, the amount of the loan which it was his intention to negociate. It must be perfectly unnecessary for him to observe, that if this rumour was true, the right hon. gentleman had given to those persons an undue advantage. It was most unquestionably the right hon. gentleman's duty, when he made such a communication, to make it to the stock exchange, to the public—to make it general. It would have been the right hon. gentleman's duty to have made it in his place in the House on Thursday last; or at least not to have made it in a partial manner, by which of course only the few to whom it was made could derive any benefit. He repeated, however, that he believed the rumour was an unfounded calumny; but he thought it right to state it, that the right hon. gentleman might have the opportunity of which he trusted he would be able to avail himself, of denying its accuracy.

The *Chancellor of the Exchequer* observed, that the subjects to which the hon. gentleman had just drawn his attention and that of the committee, were of considerable importance. And first with respect to the sinking fund, the hon. gentleman had no right to assume that the advantages which would have been gained, by the adoption, with reference to the four last loans of his recommendation, would have been such as he described; because he had no right to assume, that if the sinking fund had been taken in aid of the first of those loans, the terms on which the other loans would have been raised, would have been so advantageous to the public as they had been. He said this, not for the purpose of expressing any decided opinion at the present moment on the merits of the plan itself; but merely to show that the benefits of it were not so extensive as the hon. gentleman supposed. With respect to making use of the sinking fund for the service of the present year, all he would say was, that he had not entered into any stipulation which would prevent the public from having the advantage of the application of that fund, if it should be thought expedient so to apply it. In the mean while the power of so applying it was one of the means possessed by the treasury to protect the public from the injurious effects of the combination alluded to by the hon. gentleman. In answering that first point, he thought he had in a great degree replied to the second observation which fell from the hon. gentleman. In the conversations which he had held with a number of persons on the nature of the financial measures which it might be most expedient to adopt, he had of course spoken on a great many points connected with those measures; but he denied having made any secret or private communication of his intentions, of which any unfair advantage could be taken.

Mr. *Ricardo* had heard a statement which set forth, whether correctly or not he could not say, all the particulars of the intended loan, the sum to be borrowed, and the days on which the several payments were to be made. These he understood had been made known to others by the chancellor of the exchequer, but not to him or to any one with whom he was connected. The usual course had been for the chancellor of the exchequer to give notice to the parties likely to subscribe to the loan, that on such a day he would expect them, and then when they attended him, to unfold his plan to them. To communicate his intentions to one party alone, was to give that party a great and manifest advantage over all the others. Whether such a communication had been made he did not know; but the rumour was so general, that he could not doubt the fact of some communication from the right hon. gentleman having been made.

The *Chancellor of the Exchequer* again denied that he had made any communication of the nature alluded to, except in the conversations which he had already mentioned. They were only such communications as he should be very happy to make to the hon. gentleman who had just spoken, and to receive his advice with respect to them.

Mr. *Grenfell* expressed his regret to find, that the right hon. gentleman had really done that which he before believed was attributed to him only by calumny. The right hon. gentleman had allowed, that he had made a communication of his financial plan. But were loan-contractors the persons whom the right hon. gentleman ought to consult on such subjects? He was now compelled to believe the rumour that the right hon. gentleman had communicated to certain persons, his intention of raising a loan of 30 millions: and from what the right hon. gentleman had said, or rather from what the right hon. gentleman had abstained from saying, he believed another rumour, namely, that the right hon. gentleman had declared to the same persons, that he did not mean to apply any part of the sinking fund to the service of the current year. The right hon. gentleman had merely said, that the power of so applying the sinking fund was one of the means which the Treasury possessed of preventing any combination or attempt at combination on the part of the monied interest, and to the disadvantage of the public. But what he (Mr. Grenfell) wanted was, not that it should be so held *in terrorem*; but, that it should be actually used, and the apprehended combination be thereby prevented. If the sinking fund were rendered available to the service of the year, the loan contractors would not be driven to unite in furnishing what might be further required. What single contractor could grapple with such a loan as 30 millions? But if it were reduced to 15 millions, there would be two, three, or four competitors. He repeated, that the communication which had been made to the individuals in question was giving them a decided and an unfair advantage over all the rest of the monied interest in the city. The right hon. gentleman had almost tacitly acknowledged that he had done this. Was he even now prepared to give to the House and to the public the information which he had communicated to the loan-contractors? He was sorry to find that he had entertained a more favourable opinion of the right hon. gentleman than he appeared to be entitled to: but he was now completely satisfied that all the rumours which were afloat that very morning were but too well founded.

The *Chancellor of the Exchequer* expressed his perfect readiness to state in the House whatever he might have stated elsewhere on the subject; and which had been so stated by him only in the course of the conversations which he had held for the purpose of ascertaining, whether it would be more expedient for the public service to raise a large loan, sufficient for the present and the next year, or only a smaller one to cover the necessities of the present year; as also, whether it would be expedient to take the sinking fund, or any part of it, for the same service.

Mr. *Barnett* observed, that in his opinion, if the right hon. gentleman had declared to the individuals in question, his intention to abstain from touching the sinking fund, the House ought to interfere to prevent the conclusion of a negotiation on such an understanding.

The *Chancellor of the Exchequer* replied that he had already said he had made no stipulation with respect to the sinking fund, which was of a binding or conclusive nature.

Lord *Milton* censured the course which had been adopted by the right hon. gentleman, and which would deprive the public of the benefit to be derived from a competition for the loan. The right hon. gentleman had admitted, that he had made a communication to some persons respecting his intentions; for as to the assertion of the right hon. gentleman, that he had merely asked them questions with regard to the expediency of various financial plans, it was not difficult to conceive, that a chancellor of the exchequer might ask such questions in a way which would be very clearly indicative of his own purposes.

The *Chancellor of the Exchequer* repeated, that he had merely made inquiries to ascertain what plan promised to be the most efficient.

Mr. *Grenfell* observed, that if the right hon. gentleman had put his questions only to obtain information, he would not have been culpable; but if he had communicated his own opinion to the loan contractors, he had not discharged his duty. He ridiculed the idea of asking those persons whether it would be expedient to contract for a large or a small loan. Experience had sufficiently shown, that in such cases they had always declared *una voce* for the former.

The resolution was then agreed to, as were also the following: 2. " That 3,000,000*l.*

be granted to his majesty to pay off exchequer bills issued pursuant to act 48 Geo. 3, c. 3, continued by an act of the 55th Geo. 3, c. 16, and further continued by an act of 56th Geo. 3, c. 7, intituled, 'An Act to continue until the 5th day of 'April 1818, and amend an act of the '48th year of his present majesty, for 'empowering the governor and company of the Bank of England to advance 'the sum of three millions towards the 'supply for the service of the year 1808,' outstanding and unprovided for. 3. That 1,570,000*l*., be granted to his majesty, for discharging interest on exchequer bills, Irish treasury bills, and Mint notes. 4. That 430,000*l*. being the one hundredth part of 43,000,000*l*. of exchequer bills, authorised in the last session of parliament to be issued and charged upon the aids granted in the present session, be granted to his majesty to be issued and paid by equal quarterly payments to the governor and company of the Bank of England, to be by them placed to the account of the commissioners for the reduction of the national debt, for the year ending the 1st day of February 1819. 5. That 4,400,000*l*. be granted to his majesty to pay off and discharge treasury bills, issued for the service of Ireland pursuant to acts 57 Geo. 3, c. 81, and 58 Geo. 3, c. 87, outstanding and unprovided for on the 5th day of January 1819, in British currency."

COURT OF CHANCERY IN IRELAND.] Mr. *C. Grant* observed, that in bringing in a bill to regulate the Fees in the Court of Chancery in Ireland, he had to claim the indulgence of the House, as this was a matter of great importance to the sister country. Some years since commissioners were appointed to inquire into the fees paid in the courts of chancery and exchequer in Ireland; those fees had long been a matter of complaint, and were carried so far as, in many instances, to impede the ends of justice. On inquiry, it was found that a scale of fees had existed in 1734, and had been acted upon up to 1767. Since that period the expenses had greatly increased, in some instances so much as 50 per cent. The right hon. member proceeded to state instances of the abuses found to exist. One was, that of charging the stamp duty on a sheet containing 72 words, instead of 90 as was formerly done. The next was fictitious attendances. A master in chancery had the power of issuing summonses to bring parties before him in taxing costs, but the fourth summons only was compulsory. By constructive attendances, however, the party was charged with the fees of the three first summonses, as if he had been examined each time; and not only was there a charge by the master in chancery for each constructive attendance, but also by the solicitor and six clerks; so that the party had in fact to pay three sets of fees for three several attendances which had never taken place. In one case a six clerk had made a charge of 1297 constructive attendances. He did not mean to cast imputation on the masters in chancery, but he thought no officer should be allowed to regulate the fees in which he was himself a participator. There were two remedies which might be applied to this evil—one was by the orders of the Court, and the other by an act of the legislature. The lord chancellor and the master of the rolls agreed with the commissioners in the principle of their report, but they differed as to the remedy to be applied. The commissioners advised that the taxing bills of costs should be removed altogether from the masters in chancery, and vested in two officers appointed for the purpose with fixed salaries, but without any profits arising from their office. The lord chancellor and the master of the rolls advised that the masters should still continue to tax bills of cost, but with a fixed salary for this particular duty; instead of the fees which they now receive. The only question for the House was, which of those plans was the better calculated to remedy the grievance allowed on all hands to exist. The comissioners were entitled to the attention of parliament, and so were the opinions of the law officers immediately connected with this court. By the bill he was about to introduce, the recommendation of the latter was adopted. One object of the bill was, to compel those words which can be expressed by figures to be so written, and not allow them to be spun out for the purpose of increasing the number of sheets. Another was, to make a sheet consist of 90 instead of 72 words. The present mode of examining witnesses was, by commissioners, two being appointed by each party. Those commissioners, who were generally solicitors, generally managed to have a number of examinations to make in the same place, which, however, did not lessen the expenses of their clients.

His bill vested in the lord chancellor the power of appointing twelve barristers to act as commissioners on such occasions, at a fixed rate of charge. It might be urged, that this bill would go to injure the gentlemen who now derived profit from those fees, and who accepted, or perhaps purchased, their situations under the impression of such fees being continued. His intention was, to propose, that the parties should have a compensation for the difference between the salary to be given for the discharge of this duty, and the sums to which they would be entitled by the existing regulation. Here the hon. member quoted the opinions of lord Hardwicke and Mr. Justice Willes in support of this part of the bill. The amount of this compensation might be regulated on ascertaining what the business done by the masters or tax clerks would produce, if the existing regulations were still in force. The commissioners were of opinion, that a moderate stamp duty on bills of costs would make good this compensation. He proposed that the salaries of the masters in chancery should be 800*l.* a year each, which would make no more in the whole than 3,200*l.* a year. The additional expense on the bills of cost would be freely paid by the parties when they found themselves relieved from the much greater charge of the present system. He was the more anxious to press this, in order to show those connected with the administration of justice in Ireland, that the eyes of parliament were upon them, and that it was intended to follow this up, by a series of measures for reforming the minor courts of justice in that country. He concluded by moving, "That leave be given to bring in a Bill for the easier and better Administration of Justice in the Court of Chancery in Ireland."

Mr. *Martin*, of Galway, seconded the motion, though he would have preferred adopting the plan recommended by the commissioners.

The Earl of *Carhampton* disapproved of the principle adopted with regard to compensation.

Sir *J. Newport* felt happy in being able to say that the commission appointed to inquire into courts of justice, had been productive of the most beneficial effects. The labours of the Irish commissioners had indeed been productive of the most valuable results to the public. They had had to contend with every thing which official prejudice could suggest to thwart them, and every thing which interest could put in practice against them. It might be instructive to look at the different manners in which the inquiry was conducted in the three kingdoms. The address which he moved, was carried by one vote on the 28th June 1814, and the commissioners were appointed in March 1815; and he was sorry to say that two masters in chancery were appointed among the English commissioners for inquiry into abuses, many of which were alleged to exist in the offices of the masters in chancery. Six valuable reports had been received from the Irish commissioners, and the results which were of the utmost importance to all who had at heart the due administration of justice, were in possession of every member of the House. The Scotch commissioners had given in five reports, containing in many parts very useful suggestions, and why these suggestions had not been proceeded on, it remained for his majesty's ministers to account to the House. From the English commissioners, however, two reports had only been received in five years. The right hon. baronet proceeded to detail some of the reductions of expense which had been effected, and complained of the unjust principle on which the allowances to the different officers had been augmented, in consequence of which the Six Clerks, who, in England, had not more than 300*l.* per annum each, derived in Ireland from 400*l.* to upwards of 1,100*l.* per annum. It was evident, that if this inquiry had not been gone into, the doors of justice would have been shut to a great part of the public. He congratulated himself therefore on having brought forward this subject, and he had to thank the House for the support which they gave him. To show the enormous nature of the fees in the court of chancery, he might mention that in one case the fees for docketing, enrolling, exemplifying, and registering a decree, amounted to upwards of 800*l.* If compensation was afforded at all to the various officers, it ought only to be for fees established by such a length of practice, as to remove all suspicion of the party receiving the compensation being himself accessory to any addition to the fees, officers ought not to derive advantage from their own misinterpretation of statutes to the injury of the public.

Mr. *Leslie Foster*, as one of the Irish commissioners, entered into a statement of several of the reforms recommended by them. By the present bill, nearly one-half of the time and money formerly spent by suitors in the court of chancery would be saved. With respect to compensation to the various officers, he had to observe, that many of the officers of the Irish court of chancery were purchasers of their offices under existing laws for valuable considerations, and if any thing ought to be the subject of compensation, it struck him that these offices ought. Scarcely any difference of opinion had existed between the commissioners and the lord chancellor, except on one subject. The commissioners recommended two additional masters in chancery for the business of taxation alone, on the general principle, that officers connected with the business of the court ought to have nothing to do with the taxation. The lord chancellor, however, conceived that taxation might be more beneficially entrusted to an officer previously acquainted with the history of the cause. He still retained his former opinion, but he bowed to superior authority; and he hoped the House would be disposed to receive the benefit as it was, standing as it did, on the recommendation of the lord chancellor and the commissioners, and would not endeavour to enter into the details of the business, with which they could not grapple. The present bill would effect a greater improvement in the court of chancery in Ireland than had ever, he believed, been effected at one in any court of justice.

Mr. *Valentine Blake* thought the remedy proposed worse than the disease. Vested rights were those of all others which that House protected. He was fearful that sufficient time would not be afforded for the consideration of the measure in question; and as to the report alluded to, what it principally recommended was, the assimilation of the proceedings in the Irish court of Chancery to those of the English Chancery court.

Mr. *V. Fitzgerald* said, in despite of the gloomy anticipations of the hon. gentleman, he hoped the House would not postpone the bill. Were they to understand, that the lord chancellor and master of the rolls in Ireland wished the bill to be postponed? This bill came before the House with their recommendation, and it was known that they were anxious the bill should now be proceeded in.

Leave was given to bring in the bill.

CHARGE AGAINST BARON M'LELLAN FOR BREACH OF JUDICIAL DUTY.] Mr. *Martin*, of Galway, said, that in rising to bring forward a substantive charge against a judge, he was well aware of the difficult task he had undertaken. He was sensible, that the House should visit in the severest manner any man who should be daring or wicked enough to bring forward any unfounded charge or calumny against a judge. From the first moment he had heard that all the allegations which he had brought before the House had been flatly traversed by the learned judge whom they regarded, he had treated that contradiction with all the deference due to assertions coming from such a quarter. But he was now determined to prove his own truth and integrity in making those charges; all of which he had reduced to a written one. What would be said of a naval officer who should bring forward an unfounded accusation against a military one; or of a military officer who should act so in regard to his superior? Why, he believed that the court-martial, whether naval or military, would dismiss the person making such false charge. What would be the House's opinion of him, himself, for he would not shrink from saying so, should he adduce false charges and groundless calumnies against the learned judge? They ought to expel him from their assembly; but what would they say when he told them that he had in the gallery seven or eight witnesses, who were ready not merely to substantiate his averments, but to prove them to be altogether true? The first charge which he had to make against the learned judge was, that he had thought proper to send an armed body of men into the court, by whom all were cleared out of it, with the exception of one hon. gentleman (Mr. V. Blake) who, by some stratagem or other, had the good fortune to hide himself under one of the benches. Not contented with this most unusual and unjustifiable proceeding, he placed sentinels at all the avenues to prevent access to the court. Was this, he asked, conduct to be tolerated in a judge whose bounden duty it was to administer justice with impartiality? But this was not all. A jury which was, at the time when his (Mr. Martin's) trial came on, deliberating upon its verdict in a previous case, was not allowed to deliver that verdict until his cause was decided. The jury was not allowed admittance into the court; and in answer to the second application made for that purpose, M. Baron M'Lellan told the gentlemen, that he would not allow them to be liberated until his (Mr. M.'s) case was decided. He added, "If you knock again, I will commit you." In making this charge against the learned judge, he begged to disclaim all feelings of animosity towards that individual. But it had been said, that this was a motion which was trifling, unfounded, out of time, an attempt to throw obloquy and reproach upon a respectable character, and an unworthy attack upon an excellent judge. In answer to all this he had only to say, that he was most confident that every syllable he had uttered was true. As a friend to the learned judge, he should recommend a strict inquiry; and, as far as respected himself, he was most anxious that an investigation should be made into the whole transaction. The ground upon which the learned judge had refused to postpone the trial was, that there was not a sufficient affidavit produced. But what could have been more satisfactory than the affidavit of Dr. Crampton, the professional gentleman who attended his principal witness, Mr. Coneys, in his illness, and who swore that Mr. Coneys was unable to attend in consequence of severe indisposition? This affidavit was actually sworn, and given to the proper officer of the court. But even supposing that this affidavit had not been made, he was prepared to contend, that the affidavit of a medical gentleman was not necessary upon such an occasion. There was, however, one fact which rendered the conduct of the learned judge inexcusable, namely, that he had access to the information upon which the indictment was founded, and from that document Mr. Baron M'Lellan must have known that the evidence of Mr. Coneys was of the utmost consequence. After some further remarks, he concluded by submitting a charge drawn up in form against the Hon. James M'Lellan, and moving, that this House will resolve itself into a committee of the whole House, to take the said Article of Charge into consideration, upon this day fortnight."

Lord *Castlereagh* objected to the motion, principally on the ground that the House had no right to interfere in a question of pure practice in the court in which Baron M'Lellan presided. In considering this question, he was actuated by no feelings but those which belonged to the justness of the case; but he felt quite convinced that the learned judge whose conduct had been thus arraigned was wholly incapable of prostituting the high power with which he had been vested, to answer any private end which he might be supposed to have in view; and he confessed that he saw nothing in the statement which had been made, which could in any manner justify this serious charge against the learned judge. The real question to be considered was, whether there was any rational ground to impute such corruption to baron M'Lellan as to justify the inquiry? And first, he wished the House to recollect, that five years had been suffered to elapse before any steps were taken in parliament upon this subject; and although at that time the country had not the benefit of Mr. Martin's talents as a representative, yet as an individual he might have laid his case before the legislature. With respect to the interference of the military, he was fully aware that it was not customary in this country to introduce soldiers into courts of justice; but in Ireland the practice was totally different, and troops were frequently called in for the preservation of order. With respect to this individual instance, he certainly was not acquainted with the particular circumstances under which the learned judge had thought proper to call in the military; but this did not alter the view he had taken of the case, for it still resolved itself into a question of practice only, with which this House ought not to interfere. The hon. member had wished to advocate his own cause, and to examine his own witnesses; but this, it appeared, was in direct violation of all the rules of practice; and however competent the hon. member might be, and he had no doubt from the proof of his great abilities in this House, that he was most competent to conduct his own cause, yet, as it was against all practice, it was most proper that he should have been interrupted in that proceeding. The hon. member was certainly competent to lay the charge upon the table, but he should advise him to withdraw the complaint altogether. If the object of the hon. member was, to exculpate himself in some measure, he could assure him (and in saying so he was sure he spoke the sentiments of the House), that, as far as the hon. member was concerned, there was not the slightest occasion for the proceeding, as the hon. member had not subjected himself to the animadversions or imputations of any one by the line of conduct he had pursued.

Mr. *Martin* said, it was utterly impossible for the noble lord, on any occasion, to make a request to him in vain; and since, in the opinion of the noble lord, and he trusted of the House, there was nothing that tended to compromise his veracity, he had no objection to acquiesce in the noble lord's suggestion. He was therefore quite satisfied to let the article lie on the table, and not appoint any specific day for taking it into consideration.

Lord *Castlereagh* said, if the hon. member thought of leaving the article on the table, it must, of course, be entered on the Journals, and to prevent that, the House must proceed to some determination. If the hon. member would consent to withdraw the article, it would relieve the House from the necessity of any further proceedings.

Mr. *Martin* said, he had no objection to the removal of the article, but he could not be the person to move the withdrawing of his own motion.

The *Speaker* observed, that he understood from the hon. member he would at least withdraw his motion for the House resolving itself into a committee on this day fortnight, to take the article of charge into consideration.

Mr. *Brownlow* thought, as the charge was of so very serious a nature, and affected the credit and character of a learned judge, it ought not, having been formally laid on the table, to be withdrawn, until the friends of the learned judge had an opportunity of delivering their sentiments. If his suggestion were favourably received by the House, he was ready to state what had come to his knowledge on the subject—[Cries of "Go on, go on"].

The *Speaker* said, the proper course was, to name some day when this charge should be taken into consideration. The hon. mover, in obedience to the pleasure of the House, had withdrawn his substantive motion. The charge was now laid on the table of the House, and it must be got rid of somehow or other. It might either be expunged from the Journals, or rejected. If it were otherwise dealt with, it must necessarily appear on the Journals.

Sir *J. Stewart* censured the introduction of such a charge against the learned judge, after a lapse of five years, as a most unkind thing. The only crime imputed to the learned judge was, that he had refused a most improper application. When the hon. member sought to be heard in his own defence, after he had employed counsel, he requested that which he must have known could not be conceded to him, and which was in direct opposition to the principles on which the courts of law, both in this country and in Ireland, uniformly acted. The judges had examined the statement made by the hon. gentleman, that the witness, on whose account he wished the trial to be postponed, was a material one; and they decided that he was not. When five years were suffered to pass away, before their decision was questioned, the House were bound to believe that the decision was a correct one. The conduct of the learned judge he considered to be quite irreproachable. During the last four years, he had established so high a character in Ireland, that no attack which might be made on it here, could shake the general respect which his integrity, his diligence, and his profound knowledge of the law had created. The hon. baronet then moved, "That the said Article of Charge be rejected."

Mr. *Martin* said, he had already stated, that he was willing to adopt any course that the noble lord might point out. But when it was expected that he should withdraw a charge which he himself had made, he found that he was incompetent to do it.

Mr. *Crawford* observed, that he was acquainted with the learned judge, and a more upright man never sat on the bench. But he left his character to the gentlemen of the Irish bar, to those who best knew the dignity and humanity with which he had always conducted himself in his exalted situation. He therefore cheerfully supported the motion for rejecting the charge.

The said Article of Charge was then rejected.

INSOLVENT DEBTORS BILL.] Lord Althorp moved the second reading of this bill.

Mr. *Waithman* declared, he was sorry to trespass at that late hour on the patience of the House, but the present subject being one to which he had devoted much time and attention, he felt it his duty to submit a few observations respecting it. In the principles upon which the bill now before the House was framed, he entirely concurred, but there were some parts of the evidence annexed to the report which seemed to him to call for animadversion. Although the question was not of a popular or attractive nature, it was of the most general importance, not only as it affected the trading classes, but every branch of the community. Within the last four years persons had been discharged under the Insolvent debtors act, the aggregate amount of whose debts was upwards of 10,000,000*l.* The right hon. the chancellor of the exchequer had expressed his astonishment, that the trading classes could have sustained and borne up under losses to this amount. But many of them had not been able to bear up against, but had sunk under them. The amount of dividends upon this 10,000,000*l.* of debt was but 60,600*l.* There was another class of insolvents who had come to arrangements with their creditors, and the amount of their debts, independently of the former class, was 5,000,000*l.* The act had failed of accomplishing any one of the objects for which it was passed. It was but fair on this occasion to vindicate the character of the petitioners, who had been represented as a set of men desirous of immuring the bodies of those who were destitute of the means of paying their debts. The petitioners were actuated by no such feelings; they complained only of the defects of the existing law. The commissioner had, indeed, contended, that the act had this advantage over the bankrupt laws, that it made the property acquired subsequently by an insolvent, liable for his debts, and this had been called the polar star of the act. He would, however, venture to state, that a creditor might as well attempt to reach the polar star, as avail himself of such an advantage under the provisions of this act. There had been a few cases in which money had been received after his discharge, from the debtor, but it was not to be ascribed to the force of the measure he was considering. The salary of the commissioner, who sat only 74 days in the year, was 2,000*l.*, and to this he added fees which had never been received by his predecessor. Those fees were established soon after the appointment of the present commissioner, and the amount of what he had himself received, for the years 1817 and 1818, the only period for which any account had been delivered, was upwards of 1,400*l.* The chief clerk, who had a salary of 400*l.*, had received more than 1,800*l.*, and the receiver of the court, his own son, more than 1,000*l.* The whole amount of the money collected by the latter, was 15,229*l.* 2*s.* 4*d.*, upon which he enjoyed a per-centage, having at the same time a balance in his hands of 5,753*l.*, the interest on which he also received. The result of all the accounts was to show, that the fees and balances in hand were equal to the whole sum paid into the receiver. It was a cruel thing that fees should be extorted from distressed persons going out into the world, after having surrendered their all. The unfortunate debtor was often compelled to surrender his last shilling. Having stated thus much, he should only add, that if these things were not facts, they must bring him into disrepute with the House; and if they were facts, they must convince the House and the public that a system of oppression and exaction had been preying on the industry of the country. He agreed with the principle of this measure, and hoped that such a bill would be produced as would give satisfaction to the debtor, and security to the creditor.

Mr. *Calcraft*, having been a member of the committee, although he had not been present when the report was drawn up, hoped that the House would indulge him for a few minutes. He certainly had not been prepared for the turn which the debate had taken, as he did not expect that the worthy alderman would have expressed his sentiments on the propriety of the present bill, by launching into violent abuse of the former act. He could not help remarking, that a spirit of crimination seemed to have actuated the whole of the worthy alderman's conduct in the discussion of the subject. The worthy alderman had complained that the petitioners against the bill had been represented as unfeeling and heard-hearted; but he was not aware that any person had quarrelled with the petitioners on account of their opinions. He had certainly differed in opinion from those who petitioned against the principle of the act, but he had not quarrelled with them on that account, nor had he accused them of being unfeeling. He was glad to say, however, that many of those who had formerly been hostile to the measure were now satisfied with it, and had declared that if such provisions were introduced into the bill as had been introduced, that was all they wanted. As to the commissioners taking fees, he certainly did not approve of the practice; but at the same time, if you do not give them fees, they must be paid in some other manner; for it was not to be supposed that any gentleman would devote his time and labour to this duty without an adequate remuneration. The chief clerk, who was obliged to devote the whole of his time to the duties of his office, had a salary of only 400*l.*, and he believed that the whole of his income, fees and all, did not exceed 1,200*l.* The worthy alderman had represented as an enormous grievance, that out of 10,000,000*l.* of debts, the assets had amounted only to 60,000*l.*; but if people were insolvent, and had no property, why blame the court because there were no assets? The fact was, that most of the persons who took the benefit of the Insolvent Debtors act were of the very poorest description, and it was impossible, by any process, to make good dividends out of their property. He certainly did not approve of the clause which appointed three commissioners in the place of one; but he should reserve his objections to this provision, as well as to the fees of the commissioners, till the details of the bill came to be discussed in the committee.

Mr. *John Smith* supported the bill. It was true, as had been stated by the hon gentleman who spoke last, that most of the persons who took the benefit of the Insolvent act were of the poorest class; and even if they were not, he believed there was little chance of the creditor being benefited by a commission of bankruptcy. He believed that if the present measure were carried into effect, it would be productive of the greatest benefit.

The bill was read a second time.

CASH PAYMENTS BILL.] Mr. Peel moved the second reading of this bill.

Mr. *Ellice* said, that when the bill was in the committee, he meant to move, that, instead of the enactment, that the Bank should pay their notes, on the 1st of February, 1820, in gold, at 4*l* 1*s.* per ounce, and, on the 1st of October 1820, in gold, at 3*l.* 19*s.* 6*d.* per ounce, there should be inserted a clause, directing, that, from the 1st of October 1820, the Bank should pay their notes in gold at the rate of 3*l.* 17*s.* 10½*d.* per ounce, or else in the current coin of the realm.

Mr. *Grenfell* said, there was one point in the speech delivered by the noble lord on a former occasion, which he wished to understand perfectly. The noble lord was stated to have said, that the period for the resumption of payment in gold was not fixed at a time prior to the 1st of February next, because, if any reason arose for altering or interrupting the progress of the present measure, as parliament would be then sitting, there would be a full opportunity for effecting any change that might be deemed necessary. As this seemed to favour an idea that some doubts were entertained of the stability of the plan, he thought it was important for the public to know what the noble lord did really say on the subject.

Lord *Castlereagh* thought it was quite impossible for any person, who attended to what he had said, to misunderstand him. He had stated particularly, that the committee had recommended the 1st of February rather than the 1st of March, or the 1st of April, or the 1st of May, because no further legislative enactment was contemplated. The only objection which he thought could be raised against the plan recommended by the committee, had no reference to the present state of the exchange or other matters connected with it, but pointed to so extreme a case, as could only be the offspring of the utmost necessity, and, therefore, ought not to be admitted as an argument in opposition to the new plan. The 1st of February was mentioned for the purpose of destroying all delusion on the subject; for parliament met so late in January, that, unless a new measure were formed in twenty four-hours, no alteration in the then existing enactment could take place.

Mr. *Grenfell* thanked the noble lord for having re-stated what he had before said. It was a matter of considerable importance.

The bill was then read a second time.

## HOUSE OF COMMONS.

*Thursday, June 3.*

PETITIONS AGAINST THE FOREIGN ENLISTMENT BILL.] Mr. *Denison*, on presenting a petition from the Merchants and Ship-owners of Bermondsey and Rotherhithe, against the Foreign Enlistment bill, took occasion to animadvert in strong terms upon the character and tendency of that measure, not only from its probable operation against the commercial interest of this country, but from its direct design to impede the efforts of the gallant inhabitants of South America to emancipate themselves from the horrible tyranny of the Spanish government.

Mr. *Wilson*, on presenting a petition to the same effect, from the merchants, manufacturers, and ship-owners of London, expressed the most decisive objection to the measure referred to by the petitioners. The hon. member read an abstract from the petition, which forcibly stated the reasons upon which, for the sake of our commerce, manufactures, and shipping interest, the proposed bill should not be allowed to pass into a law. This petition was, he said, subscribed by 1,700 of the most respectable individuals connected with the trade of London. The opinions of such men were entitled to, and would, he hoped, experience the particular attention of the House. But as to the professed object of the bill, it seemed surprising that in the nineteenth century, it should be deemed necessary to legislate for the purpose of explaining the principles of neutrality. The Spanish government was known to have made use of the shipping of England for the purpose of conveying her troops, ammunition, &c. to South America, and of bringing home to her ports the wealth of those territories. That government had now a supply of British transports to forward more troops to that quarter; and after it had received such signal accommodation, not only in shipping, but in men, and all the sinews of war from this country, he could not see upon what ground of fairness or impartiality a similar accommodation or advantage was to be refused to the South American patriots. Such a refusal could not, in his judgment, be maintained, without a violation of all the principles of just neutrality. But, looking at the proposed measure in a mercantile view, it could not be too decisively deprecated; for the patriots had heretofore notoriously afforded every facility to our trade, while they were among our best purchasers; but if the measure referred to were enacted into a law, the consequence must be to throw the trade of the patriots into the hands of the United States, who would be ready, for their own benefit, to cultivate the connexion by all the means in their power. Under these considerations, with so many petitions from the manufacturing towns upon this subject, with such universal complaints of the stagnation of trade, and of the distress of the people, it behoved both the parliament and the government to pause, before it gave its sanction to any measure likely to exclude us from any market whatever, but especially from such a market as that of South America.

Ordered to lie on the table.

CAPTAIN HANCHETT.] Mr. *Lushington* rose to present a petition from three gallant officers of the navy, complaining of the foul aspersions cast upon their characters in the petition presented some days ago from captain Hanchett. These officers, captain Knight, lieut. Neame, and lieut. Dombrain, felt they had reason to complain that the House should be made the channel of the most scandalous calumny, without any opportunity having been afforded to them for their vindication, and which finding its way into the papers, left an impression on the public mind, which the most absolute denial and complete refutation might not be able afterwards wholly to remove. Mr. Lushington felt also that he had reason to complain of this as matter affecting the privileges of the House. When he read in the papers the morning after the discussion relative to captain Hanchett, the report of what had passed, he found much that had been said omitted, and much that he had stated grossly misrepresented. In "The Times" newspaper particularly, these errors prevailed, and there was even a comment in that paper, so gross and false, that he should have felt justified in moving that the editor should be brought to the bar, for the insertion of a paragraph, which he believed had proceeded from the most corrupt and polluted source. Whenever there was a discussion affecting the characters of persons, either in or out of that House, it was the special duty of those by whose means the public was daily gratified with an account of what passed in the House, to take care that they adhered as strictly as possible to the truth. He hoped this would be a sufficient warning to the reporters in future to be more accurate; and he would now, with the leave of the House, read the petition. Mr. Lushington then read the petition, which was in substance what he had stated. He then desired to ask the hon. member (Mr. Bennet) now that he had had sufficient time to read all the papers, and make himself better master of the facts of the case, what he meant to do?

Mr. *Bennet* rose, he said, for the purpose of assuring the House that he had given the utmost attention to the papers, and he was desirous of knowing whether the hon. secretary could communicate to him the paper of calculation referred to in the depositions of lieut. Dombrain and his father, as the paper written by captain Hanchett himself, and containing the calculation of the sum to be paid to him. There were also a few other papers which he should like to see before he made up his mind as to the course fit to be pursued; and he should then be prepared on Monday to state his opinion more fully. As to the calumnies of which the petitioners complained, he was no party to them; for he had waved the right which he considered that he possessed, of having the petition of captain Hanchett printed, and in respect to the paragraph of which the hon. member complained, as proceeding from a corrupt and polluted source, he could assure him he had no participation in, and had never seen it. He had felt it his duty as a member of parliament, to present the petition of an officer complaining of harsh treatment, and he had since taken every pains to ascertain the truth; but his opinion upon capt. Hanchett's part of the case would depend upon the production of the calculation of the 6,000*l.* said to be given by him, and in his hand-writing.

Mr. *Lushington* said, he had no difficulty in complying with the hon. member's wishes for any paper he might desire to have; all possible alacrity should be used in furnishing them. He wished first to remind the hon. member of his declaration on a former night, that captain Hanchett had explicitly authorised him to "declare, upon his word of honour, as an officer and a gentleman, that there was not one word of truth in the story about 6,000*l.*"—Sir (said Mr. Lushington), this denial is so profligate and so wicked, that I am sure the House, and even the hon. member himself will share in my feelings of disgust and indignation, when I produce to them the very paper written by this officer himself, and containing his corrupt proposition. The following is the paper in his hand-writing:—

"Aged 38.—100*l.* per annum, 1,354*l.* 16*s.*; 500*l.* gives 6,774*l.* 0*s.* 0*d.*; Interest on 6,774*l.* 0*s.* 0*d.* at 3½ per cent, is 237*l.* 1*s.* 9¼*d.*

| | | | |
|---|---|---|---|
| Annual allowance... £. | 500 | 0 | 0 |
| Deduct interest...... | 237 | 1 | 9¼ |
| £. | 262 | 18 | 2¾ over." |

After the perusal of this paper, of the clear and consistent depositions of lieut. Dombrain and his father, and of his own confession in writing, there could not be the shadow of a doubt remaining in any mind of the shocking prostitution of honour and character which this transaction and the denial of it involved. He called, therefore, upon the hon. member, whose situation in being the channel of making such a communication to the House he really felt for, to come forward in a fair and manly way to express his indignant feelings at having been the dupe of such hypocrisy and falsehood. Mr. Lushington thought it right in justice to lieut. Dombrain to remove an impression which, from the report of the last discussion, might possibly be entertained, that it was owing only to Mr. Lushington himself that this corrupt transaction was not consummated. He begged to assure the House, that from the beginning to the end of the transaction, lieut. Dombrain had shown the most correct feeling of his duty. There was only one point more which he would then notice, and that was the impudent assertion made by capt. Hanchett about his giving up many thousands a year. This was also mentioned as matter of honour to captain Hanchett by the member for Shrewsbury and the editor of "The Times" newspaper. Mr. Lushington had no doubt the hon. member had now arrived at more correct conclusions, for in fact there was no part of capt. Hanchett's conduct more illustrative of his hypocrisy. The public records which the hon. member had now had an opportunity of reading, showed that he had never given up one farthing which he could by any art or contrivance retain; that at this very moment he had public money in his hands, of which he would render no account; and it had incidentally appeared from the inquiries which his misconduct has rendered necessary, that it was no unusual practice with him to make charges upon the public under the solemn declaration of his readiness to make oath to the truth of the account, and then to put the money into his own pocket. Mr. Lushington again repeated, that he had nothing to apologise to the House for, but the lenity with which this officer had, through his means chiefly, been treated; and even up to the last week of his service he had acted in the same spirit towards him; for when his noble friend at the head of the government came to the knowledge of the corruption of this officer, and directed his immediate dismissal, Mr. Lushington still pleaded that he might be allowed to resign, in order to spare him from the bitter feelings of such an exposure, and to save the honourable profession to which he belonged from such a disgrace.

Mr. *Bennet* said, that he felt it his duty, after the evidence which he had read, and the document now produced under the declaration of the hon. member, that it was the hand-writing of captain Hanchett, to declare his concurrence in the observations of the hon. secretary, and his full conviction that the government had no choice but to dismiss an officer so unworthy to be employed in their service. As far, therefore, as captain Hanchett was concerned, he had nothing to say. In respect to capt. Knight, lieut. Neame, and lieut. Dombrain, he must also add, that their explanations were satisfactory. The remaining points which concerned the hon. secretary's alleged use of his patronage, for the purpose of furthering his local interests at Canterbury, required more explanation than had been given, and he should wish for information upon one or two points.

Mr. *Lushington* said, he had no difficulty in giving a complete answer upon this point; at least he was sure it would be an answer to the House of Commons, although it might not be quite so satisfactory to his worthy friends at Canterbury. Upon a comparison of the number of persons connected with Canterbury, and recommended by Mr. L. for places in the preventive service, with those which Mr. Lushington had recommended because they were friends of captain Hanchett, and as such proposed by him to his noble friend, he found that he had recommended two of captain Hanchett's, for one Canterbury person. He therefore begged to assure the House, the hon. member, and his worthy friends at Canterbury, that he would take care not to be so duped again. This, however, would be satisfactory evidence to the House, that he had shown no grasping disposition for power or patronage, and that he had nothing for which he desired to be excused, but his lenity and kindness to this unworthy officer.

Ordered to lie on the table.

PETITIONS OF PROTESTANT DISSENTERS AGAINST THE MARRIAGE ACT.] Mr. *W. Smith* said, he held in his hand a number of petitions, the subject of which, as it was rather uncommon, he should state to the House as briefly as possible. These petitions were signed by a considerable number of dissenters, chiefly of one persuasion, called Unitarians, and the grievance of which they complained was the Marriage act. The petitioners wished, either that they might be allowed to perform the marriage ceremony themselves, as the Jews and the Quakers were allowed, or else that certain parts of the present ritual should be omitted. They wished, in short, to be restored to the situation in which they were before the passing of the Marriage act in 1754.

Ordered to lie on the table.

RESOLUTIONS RELATIVE TO THE PUBLIC INCOME AND EXPENDITURE.] The House having resolved itself into a Committee on the Public Income and Expenditure, to which the First Report of the Finance Committee, and sundry documents were referred, the Chancellor of the Exchequer read the Resolutions which he had announced it to be his intention to bring forward. They were as follow:—

1. "That since the termination of the war, in 1815, the property tax in Great Britain, and other taxes in Great Britain and Ireland, which yielded a revenue of upwards of 18,000,000*l.* per annum, have expired, or been repealed, or reduced.

2. "That by an act passed in the 56th Geo. 3rd, c. 98, the revenues of Great Britain and Ireland were consolidated from the 5th of January, 1817; and that in the year preceding the said consolidation, the nett separate revenue of Ireland was 4,561,353*l.*, and the charge of the funded and unfunded debt of Ireland was 6,446,825*l.*, including therein the sum of 2,438,124*l.* as the sinking fund, applicable to the reduction of the debt; which charge exceeded the whole nett revenue of Ireland by the sum of 1,885,472*l.*, without affording any provision for the civil list, and other permanent charges, or for the proportion of supplies to be defrayed by that part of the united kingdom; and that no provision has been made by parliament to supply this deficiency.

3. "That the supplies to be voted for the present year by parliament, may be stated at 20,500,000*l.*

4. "That the existing revenue, applicable to the supplies, cannot be estimated at more than 7,000,000*l.*; leaving the sum of 13,500,000*l.* to be raised by loan, or other extraordinary resource.

5. "That the sinking fund, applicable to the reduction of the national debt, in the present year, may be estimated at about 15,500,000*l.*; exceeding the above sum necessary to be raised for the service of the year, by about 2,000,000*l.* only.

6. "That to provide for the exigencies of the public service, to make such progressive reduction of the national debt, as may adequately support public credit, and to afford to the country a prospect of future relief from a part of its present burthens, it is absolutely necessary that there should be a clear surplus of the income of the country, beyond the expenditure, of not less than 5,000,000*l.*; and that, with a view to the attainment of this important object, it is expedient, now, to increase the income of the country by the imposition of taxes, to the amount of three millions per annum."

The Resolutions having been laid on the table,

Mr. *Grenfell* understood that to-morrow the chancellor of the exchequer was to meet the gentlemen with whom he proposed to contract for the loan. Now, as the resolutions before the House must be connected with the consideration of the loan, he would take it for granted that the right hon. gentleman, at his interview with the contractors, would not commit himself in any way with respect to the sinking fund, so as to anticipate the decision of that House on Monday. He hoped he would be careful to leave it open to the House to provide that the loan to be raised in this or in any other year, should be raised in that way which to them might appear most for the benefit of the country. He was anxious that before Monday nothing should pass between the chancellor of the exchequer and the loan contractors that should fetter that House in any respect, but especially with respect to the application of the sinking fund in diminution of the loan.

The *Chancellor of the Exchequer* said, it could not be his object to fetter the judgment of the House. The contractors for the loan, in making their bargain, well knew that all must depend on the decision the House might think it right to come to on the Resolutions which he had brought forward.

The House then resumed, and the chairman reported progress.

Mr. *Hume* wished to know, whether in the provision for the year, there was any arrangement made to pay the debt due to the East India Company for advances made at Ceylon and other places?

The *Chancellor of the Exchequer* said, that no provision was made for the present year. He did not know the state of the account between the government and the East India Company, but he believed no demand was made.

Mr. *Curwen*, seeing the noble lord in his place, was desirous to know whether, in consequence of the petition he had presented from the distressed weavers of Carlisle, any steps had been taken by his Majesty's government to afford those persons the relief they sought? The conduct of those unhappy individuals was most orderly under their distresses. If it was the intention of government to facilitate their emigration to Canada, that was the proper time, as the ships of the season were preparing to go out in ballast, in order to bring home their cargoes of timber.

Lord *Castlereagh* stated, that the petition was referred to the noble lord at the head of the home department, in order that he might take the pleasure of the Prince Regent upon it. The hon. member must be aware of the difficulties inseparable from such a proposition; but no time would be lost in attending to the application.

PARGA.] Mr. *F. Douglas* inquired of the noble lord, whether his majesty's government had adopted any proceeding to prevent the surrender of Parga to the Ottoman Porte?

Lord *Castlereagh* said, the hon. gentleman must see that it would be attended with great inconvenience, if ministers were called on to answer, in the progress of their duty, whether they had, or had not sent out certain instructions. An answer to such a question necessarily involved some notice of the nature of the instructions themselves, and was, in fact, such an interference with the official duties of ministers, as, he conceived, with all deference to the hon. gentleman, could not be considered fair and proper.

Mr. *F. Douglas* did not mean to ask any question, the answer to which could involve the secrets of government. But, as he thought, from what had fallen on a former night from the noble lord, that government contemplated the step which he had alluded to, he did not conceive that there was any impropriety in the question.

Lord *Castlereagh* begged of the hon. gentleman not to be too hasty in drawing conclusions. His majesty's government would pursue that course which appeared to them to be correct.

FOREIGN ENLISTMENT BILL.] The Attorney General having moved the second reading of this bill,

Sir *Robert Wilson* said, that when the learned gentleman asked for leave to bring in the present bill, he desired that he should alone be considered responsible for the measure, no doubt foreseeing the extent of the public disapprobation which it was calculated to produce. The noble lord opposite, however, in the debate which attended even its introduction, did not consider it in that abstract and isolated view, but as a measure connected with our foreign policy. That avowal was at least candid, as it brought the question before the House on its proper merits, and allowed those who disapproved of the bill, to grapple with the character of that external policy. It was proposed to rescind two acts of parliament which made the enlistment of British subjects by foreign sovereigns in these dominions death, and to substitute an act with an extension of the principle, but mitigating the character of the first offence to a misdemeanor, punishable by fine and imprisonment, but making a repetition of the offence, a felony, and punishable by transportation. That latter clause had been since withdrawn, in deference no doubt, to the expression of public opinion. The original intention of considering it as a felony was, however, a demonstrative proof of the *animus* of the projectors, from whence that bill proceeded. The House would remember that the noble lord, on its introduction, asserted, that he did not confine his support of the bill to the particular reasons, specified by the hon. and learned attorney general, but considered it as a measure founded on the spirit of our general policy. Before he proceeded to consider the question in that relation, he should first show that it was not entitled to any respect from any analogy with those other enactments to which a reference had been made. To show this, he had only to take an historical view of the circumstances under which the acts of the 9th and 29th of George 2nd were passed. In the year 1736, when the act of the 9th was introduced, the whole continent of Europe had been engaged in war; Austria and France had entered into a preliminary negotiation, and had requested the king of England to interpose with his good offices. That request was accepted, and this country had taken up the conduct of the negotiation. It was natural, therefore, that under such circumstances a bill should pass tending to prevent the subjects of this kingdom from supplying any of the belligerents with the materials of prosecuting the war. The difference was most marked from the circumstances of the present measure. The House had heard from the noble lord himself, that during the progress of the mediation of this country between Spain and South America, the British government had not interfered, and that these armaments were permitted to sail from British ports. But when the negotiation had failed and all hope of conciliation was at an end, then it was that his majesty's ministers determined on taking the present measure. Where, then, he would ask, was the analogy between the reasons for the present bill and that passed in the 9th of Geo. 2nd? He would next advert to the circumstances under which the legislature enacted the 29th of the king. It was in the war of 1756, after France had seized a number of British shipping, when government were in possession of information, that an invasion was intended either here or in Ireland; when, be it recollected, there was a pretender to the Throne, residing near Paris, with some thousand adherents to his person, or employed in the French service. These constituted the reasons for that law. Was it not evident, therefore, that these two acts on which the present bill was said to be bottomed, had both arisen from particular exigencies, and were intended to meet special and extraordinary necessities? Indeed, such was the character of every previous law, which might be considered to have an analogy with the acts of the 9th and 29th of George 2nd. So far back as the reign of James 1st, an act was passed, not to prevent the enlistment of British subjects, but to secure by oaths their attachment to their religion and loyalty. In the time of James 2nd, a law was passed to recall the persons engaged in the service of the States general, from an apprehension of their being employed in the intended descent on the kingdom by the prince of Orange. King William also passed a law, to prevent seamen being engaged in the service of foreign governments; but at what time? When James 2nd was in Ireland, and the French king was his ally. Never, indeed, did this country adopt such a system of policy unless where we were principals in the quarrel, or had accepted the conduct of a general negotiation. But these acts of the 9th and 29th of George 2nd having passed, what was their operation? If they were not still-born—if they received the vital spark by the assent of the legislature—they were speedily consigned to the tomb. They had remained during all times a dead letter on the Statute Book. He called upon the learned and hon. attorney general to state an instance where they were carried into operation, or where a punishment was inflicted. He was not contending against the right of the king to punish the offence of engaging in the service of foreign powers. There were instances very lately, in the case of persons who had engaged in the service of France at the Mauritius; but they were prosecuted on the old and constitutional law against treason, and suffered death. From general history, it was clear, that such a principle as the present bill disclosed was never acted upon, even where Great Britain was herself one of the belligerents. In the war which led to the peace of Aix-la-Chapelle, at the battles of Dettingen and Fontenoy, the troops of this country were engaged with the Irish brigades in the service of France. There were instances where some of that gallant corps were taken prisoners. In what manner were they treated?—They were treated with the consideration due to their gallantry, and received as prisoners of war! And all this, too, in contravention of those acts of the 9th and 29th of George 2nd. In those times, the armies of many foreign sovereigns were filled with Irish, Scotch and English officers. At one period, out of 120 companies of Austrian grenadiers, seventy were commanded by Irish officers. In the war of 1756, when again at the battle of Minden, the Irish brigade was opposed to the British troops, the very same course was followed, and these laws were disregarded. At the battle of Culloden, in 1746, there were some Irish officers in the French army, which was then made prisoners; and the very production of their commissions was considered sufficient to entitle them to the treatment of prisoners of war. So late as the year 1794, the proceeding of that period was made the ground of a direct interference with the French government. When general O'Hara was taken prisoner in a sortie from Toulon, he was sentenced to death by a decree of the National Convention. His royal highness the duke of York, who then commanded the British army, immediately dispatched a British officer, now a noble lord, to whose name, when mentioned, it was needless to add any eulogium, he meant lord Hutchinson, to the French advanced posts, for the purpose of urging in the strongest manner the precedent of the treatment of the Irish officers in the French army, which surrendered at Culloden. The appeal had its effect, as the decree of the Convention was rescinded. But he would ask, in what manner did we treat these officers of the Irish brigade, who, refusing to remain in the service of the French republic, withdrew to this country at the period of the Revolution? Did we enforce against them the acts of the 9th and 29th of George 2nd? On the contrary, we received them into the British service, embodied five or six regiments under the command of Fitz James, Walsh, Conway, and O'Connell, and their gallant and distinguished exertions were the grateful return which Great Britain received for so wise a determination. But it was not in France and Austria that these Irish corps were then to be found. There were three Irish battalions also in the service of Spain. It was never contended that such engagements on the part of any portion of the subjects of the king compromised the character of the government. We saw general La Fayette engaged in the service of North America, sir Sidney Smith at one time holding a command in the Swedish navy. There were Swedish sailors in the fleets of Rodney and De Grasse at the moment of contest. The Russian navy was at one time full of Scotch officers, yet it was never considered that such occurrences affected the character of the respective governments, whose subjects they were, or that they disturbed any existing relations of neutrality. He did not see any of the lords of the Admiralty in their places; but had they been present, he would have appealed to them to state the number of the Danes, Swedes, and Norwegians that manned our navy during the last war, and contributed so essentially to the glory and security of the country. Was that House prepared to give a new interpretation to the law of nations, which would have the effect of inducing foreign governments to exercise the restriction, and in the end deprive this country of the assistance the value of which it had previously experienced? Was that the recompence they would return to those brave men of whose services they had availed themselves? The House he trusted would pause before it adopted a measure so cruel to such a number of foreigners, and so prejudicial to our own interests. He would not be guilty of the affectation of entering into a statement of the opinions of Puffendorf and Grotius, but he believed he might say, that it was the decision of the most enlightened jurists, that the law of nations imposed no obligations of neutrality, which went to prevent the subjects of any government from enlisting in the service of any power at amity with their own government, provided such enlistments were permitted without favour or preference to either belligerent. In the war of 1756 we subsidized corps of Russians and Hessians, without considering that we engaged their governments in our quarrel. It had been the practice of the Swiss to hire themselves out to adverse armies. But then it was said America had adopted an opposite principle, and therefore we were bound to follow the example. For America he felt sincere attachment; he cherished her with affection, as the impregnable fortress of human freedom—with her gates ever open to afford a refuge and a resting-place to the persecuted and oppressed. But he was not blinded by his attachment, when he saw an attempt made to separate freedom from justice. But could the House forget, that from the United States the people of South America had received heretofore, the most active assistance? There was built the first vessel on which the flag of independence was hoisted. From thence the South Americans had obtained the two finest frigates in their service. North America had sent commissioners, not to negociate South American independence, but to give a character to their governments; seeing all that had been done, Spain interfered, and purchased the forbearance of America by the cession of Florida. It was dangerous to be a prophet on political events at all times, but more particularly of late, when reason and facts were so opposed. But he would hazard the assertion, that after Florida had been occupied by her population, and her new position was secured to menace in the event of war, the trade through the Gulph, America would next demand Cuba, and that she would obtain. By intrigue and intimidation, she would ultimately extend her views of aggrandizement to Mexico, push her frontier from the Atlantic to the Pacific Ocean, and in the end laugh at Great Britain as the dupe of her artifice. But what right had Spain to make this demand upon us? She was preparing an expedition against her colonies at the port of Cadiz. the same port from which an expedition had sailed against this country, of which specimens might be seen in the Tower of London. Did this constitute a claim upon our co-operation? Yet we were called upon to pass a law which, at the same time that it would retard our commerce, would place thousands of our fellow subjects, whenever they touched their native land, at the mercy of any mercenary and wicked informer, who could arrest them as criminals, and send them to gaol as malefactors. It surely would be enough to refer those who might be disposed to enlist in the service of the South Americans to the ordinance made by Ferdinand, in Madrid, a few months ago, devoting all who should engage in this service to the most ignominious death. But must it further be enacted by a British parliament, that our fellow subjects who might reach their native shores, should spend their lives in British gaols? He must describe this bill a bill not called for, a bill which policy rejected and humanity condemned, a bill in favour of Ferdinand and inauspicious to liberty [Hear]. If they were to rake up the ashes of the acts of the 9th and 29th of George 2nd, it ought to be in order to consign them for ever to the grave. He would trouble the House with no further observations, but would move, as an amendment, "That the bill be read a second time on this day six months."

The *Attorney General* said, that the first part of the gallant general's argument went to establish the right of the subjects of one state to enlist in the service of another state, and even if that state should be at war with their state. [General cries of No, no.] The instances to which the gallant general had referred went to establish that principle. [Sir R. Wilson rose to explain; but the cries of "No, no, it is unnecessary," were so general, that he immediately sat down.] He was not disposed to quarrel with the mercy and humanity extended to the Irish brigade who were engaged in a service directly hostile to this country. Their faults were pardoned, and they were treated as a foreign enemy. With this clemency he did not quarrel; but when instances of this kind were stated as arguments affecting the present question, he must contend that they went to establish the principle, that subjects should be suffered to enlist in hostile armies. The other part of the gallant general's argument went to the principle, that by national and municipal law every individual had a right to enlist in the service of another power against the policy of the state itself. He was ready to show, on the contrary, that an individual had not a right to enlist so as to break that neutrality which the state wished to preserve. Where a state was in amity with another state, it had a right to prohibit its subjects from engaging in war against it, without the consent of the sovereign. That was the principle for which he contended. The sovereign power of a state was entitled to compel the obedience of all its subjects in this point. On that account it was, that the sovereign in this country was invested with the power of recalling all subjects who were abroad; and by the earliest laws, the sovereign had the right to prevent subjects from going abroad, because the individual was identified with the state on all the principles of policy and safety, and on all the principles of social intercourse and national intercourse. The state would become a mere cipher if large bodies of its subjects could act independent of its policy; if an individual or bodies could say, "I, or any number of us, can erect ourselves into a body of individuals, and we shall contravene your wishes and your views. When you profess yourselves neutral, we have a right to beat up for volunteers in every town of the kingdom, and you have no right to pass a law against it." He would ask, whether any intercourse could be maintained between nation and nation on such principles? When he said so, he was looking at the bill now before them, which said, "Without a misdemeanour you shall not enlist yourselves, or suffer yourselves to be enlisted, without a license, that is, without the consent of the king." This was the principle of the bill. It was founded on the principles of the common law. He was aware that it might be replied, If it was so, why not leave it to the operation of the common law? why introduce a new statute? [vehement and continued cheers from the opposition.] If it was so founded, the principle of the gallant general, that every individual had a right to enlist in the service of a foreign power must be given up. But although the right was founded on the common law, there was no absolute power—he did not mean absolute in an obnoxious sense—there was no specific power to prevent individuals from enlisting, or to take any steps till they were gone, and the act was committed. Without the acts which made foreign enlistment a felony, or an act like the one now proposed, for making it a misdemeanour, there was no specific power of preventing foreign enlistment. Those gentlemen who had done him the honour of cheering him seemed to admit that the right was founded on common law. He wished, then, to ask one question: if foreign enlistment, at one's own pleasure, was contrary to law, why not prevent it? Why not, by the medium of an act of parliament, prevent what was contrary to law? That question he wished to ask. Why should the insurgents—he was anxious to avoid any offence to them, and to make use of no harsh terms—why should the insurgents, as they were called, why should the revolted provinces of South America, be in a better state than recognized states? Did the gallant general contend that they had a right which no recognized state had till this period? Surely they ought to be in the same state with recognized states in this respect. It was contrary to every principle of municipal or national law to make a distinction in their favour.—With respect to the ships fitted out in this country for the assistance of the Spanish insurgents, and the argument which had been adduced in defence of such equipments, he thought it fit to say only a few words. It was his opinion that such equipments ought by no means to be tolerated, let what would be the side with which they were intended to cooperate; and, therefore, he had no hesitation in saying, that when the gallant general had alluded to the possibility of ships being hired by Spain in this country to oppose the insurgents, he had alluded to a case which never would happen, and which it was the express object of this bill to prevent from happening; for the bill applied, not to ships employed in the service of this or that particular power, but to ships employed in the service of any power whatsoever without a license from the British government. Such an enactment was required by every principle of justice; for when the state says, "We will have nothing to do with the war waged between two separate powers," and the subjects in opposition to it say, "We will, however, interfere in it," surely the House would see the necessity of enacting some penal statutes to prevent them from doing so; unless indeed it was to be contended, that the state and the subjects who composed that state might take distinct and opposite sides in the quarrel. He should now allude to the petitions which had that evening been presented to the House against the bill: and here he could not but observe, that they had either totally misunderstood or else totally misrepresented its intended object. They had stated, that it was calculated to check the commercial transactions and to injure the commercial interests of this country. If by the words "commercial interests and commercial transactions" were meant "warlike adventures," he allowed that it would; but if it were intended to argue that it would diminish a fair and legal and pacific commerce, he must enter his protest against any such doctrines. Now, he maintained, that as war was actually carried on against Spain by what the petitioners called commercial transactions, it was the duty of the House to check and injure them as speedily as was possible. He did not expect that any member would contend, that individuals were not bound by the acts of the state under whose protection they lived; or that any member would argue, that the country which allowed soldiers to be enlisted by beat of drum and sound of trumpet to serve in the ranks of one out of two contending parties, was preserving a strict neutrality towards them both; and yet, unless such arguments were to be used, the present bill must appear to every impartial man to be founded upon principles of true state policy, and upon maxims of the most undeniable municipal law. The gallant general had also alluded to the particular situation of the Spanish government: he did not see how that subject could be made to bear upon the present, because if the British government thought that the Spanish provinces ought to be abetted in their present efforts, the nature of the question was entirely changed; but if it professed neutrality, then it ought to adopt a policy consistent with that neutrality, which would be most effectually done by reviving the old law of the country, and by mitigating the severity of the penalties which it enacted. The statute of Geo. 2nd prohibited the entrance of a British subject into the service of any "foreign state, power, or potentate:" now it was evident that these words could only allude to states, powers, or potentates, that had been acknowledged by the other governments of Europe; and he would therefore ask, whether it was fair that subjects who were rebels, states which had revolted and were not acknowledged, men whose existence as a distinct nation was totally unknown, should be placed beyond the operations of those civil and municipal laws which affected nations and princes, whose claims to being treated as such had long existed, and had long been acknowledged? He would also ask, whether it was fair to allow men to enlist into the service of the unacknowledged state, and to debar them from the right of enlisting into the service of the acknowledged one? For his own part, he thought that nobody could contend for the fairness or impartiality of such policy; and therefore, as this bill was founded on the common law, and was absolutely necessary for declaring what was the law on the subject to those who were inclined to embark their fortunes in this struggle, he should give it his most willing and decided support. It was to apply not merely to those who enlisted in the service of the Spanish insurgents, but to those who enlisted without a license from the Crown in the service of any power whatsoever. There was a provision in it to prevent its affecting those who were already in the service of the insurgents, which he considered to be no less than what was required by justice and policy: those who entered into it hereafter, would enter into it with a full knowledge of the pains and penalties which they incurred by doing so; and if they sinned against the law at all, would be sinning against it with their eyes open. Thinking, then, as he did, that the bill was not only absolutely just, but positively necessary, he must repeat, that the House in enacting it would do nothing more than what justice, and its own high character, demanded that it should perform.

Mr. *Denman* expressed his astonishment at some of the arguments that had been used by the hon. and learned gentleman, and more particularly those of which the hon. and learned gentleman had availed himself, in reply to the doctrines which had been so ably maintained by his hon. and gallant friend. He (Mr. Denman), as a lawyer, would say, that no lawyer, in or out of that House, could show, that his hon. and gallant friend's doctrines were at variance with the law of the land. His hon. and gallant friend had never argued against the right of the legislature to prohibit the subject from entering into the service of a foreign state. What his hon. and gallant friend had justly and convincingly argued was, that those very acts of 1736 and 1756, which it was now intended, for a certain purpose, to revive, had never been carried into execution; but that the object for which those acts had been passed, had been accomplished in another way. The object of his hon. and gallant friend was, to show, not that the sovereign or the legislature had no right to prevent the subject from enlisting in a foreign service, but that acts of this description were so hostile and revolting to the best feelings of the country, that when passed, as the acts of 1736 and 1756 had been passed, under circumstances of a very different nature from those at present existing, it had not been thought advisable to carry them into effect; but that their object had been obtained by courts martial and other means; and thence his hon. and gallant friend had argued, that such acts were nugatory, and consequently unnecessary.

He was perfectly at a loss to conjecture, by what ingenuity the hon. and learned gentleman could torture this argument into a denial of the power of the sovereign and the legislature. Nor was he less at a loss to conceive, how the hon. and learned gentleman could contend, that the bill before the House was intended to preserve the neutrality of the country. Could that be termed a neutral measure, which prevented assistance from going to one of the belligerent parties, and allowed it to go, without hindrance or impediment, to the other? That such was the case in the present instance, no man in his senses could doubt—not indeed by the enactments proposed, but by the virtual effect they would have if carried into a law. Because the British government speculated that British subjects would be more disposed to fight under the banners of liberty than under those of oppression, they wished to pass a law which would prevent the former from receiving assistance, and which could have no effect on the latter; because there was not a man in the country, with the heart of an Englishman, that did not ardently pray for the success of the Spanish independents. If, therefore, this bill was intended, as he had no doubt it was, to impede that success, it was taking up the mask of neutrality, in order to conceal the destructive designs which were harboured against the cause of liberty. His majesty's ministers contended, that the proposed act would press equally on both the belligerents. Supposing that to be the case, where was the necessity of it? The best and only mode of keeping the balance even between the parties, would be, to leave the law as it at present stood. If, by the existing law, any English subject had been precluded from enlisting in the service of the king of Spain, even such a circumstance would not have rendered a new law necessary; as our neutrality might have been equally maintained by simply repealing the existing law; but every body knew that no such event had occurred. If, however, it could be shown, that by the existing law a single British subject had been prevented from entering the service of the king of Spain, he would pledge himself to vote for the proposition before the House. If there was any difficulty in the business, let the existing law be repealed, and no other be substituted. By that means the punishment of death, which was at present the penalty for such enlistment, would be got rid of, and the balance would be held evenly between the contending parties. "But then," said the hon. and learned gentleman, "is the House prepared to say, that it shall be permitted to raise recruits for a foreign power in this metropolis, and to parade them up and down the Haymarket and St. James's-street, by sound of trumpet and beat of drum?" Before he answered such a question, he might be allowed to put another, namely, "Has any thing like that existed, or does it exist at the present moment?" If it did, it ought certainly to be put down. But, in order to do that, was it necessary to establish a new code of neutrality? Was it necessary that England should depart from the policy which she had invariably pursued, except in 1736, when there was a Pretender to the throne, who was in alliance with almost every foreign power, and when therefore no subject of this country could take up arms in the service of a foreign power, without the establishment of a *primâ facie* case, that he was in hostility to his own government? If there was no similarity between the state of this country, when the acts of 1736 and 1756 were introduced, and its present state (and he thought that no person would say there was any), ought parliament, for a mere temporary expediency, to lay down a permanent rule of so extraordinary a nature, affecting as it did the rights of neutral belligerents. From the earliest periods of our history to the 9th of George 2nd (when peculiar circumstances called for such a measure), there was no law prohibiting the subjects of this country from enlisting in the service of foreign states. In the Spanish war in the Netherlands, in the war of the Huguenots, the gentry of England had freely and without hindrance entered into the contest; the sovereign feeling that he ought to permit his subjects to carry their talents and courage to any field in which they might be rendered most available to their possessor. He trusted, therefore, that the House would pause before it abrogated, for a temporary purpose, a system which had so long and so advantageously prevailed.

The hon. and learned gentleman opposite contended, that the bill was in furtherance of the principle of the common law. But the common law, if enforced, was already sufficient for the purpose. By the issue of the writ *ne exeat regno* the Crown might prevent its subjects from quitting the kingdom; and by the issue of another writ, it might recall those who had quitted it; and therefore, if the ministers of the Crown wished to recall to their homes those natives of Great Britain who had entered into the Independent service, and if they chose to take so great a responsibility on themselves, as such a step would inevitably draw upon them, they had it in their power to do so at any moment that they thought fit to issue the mandate. Indeed, if such a measure was right and expedient—if circumstances demanded that it should be adopted—why had not ministers previously taken it? Why did they hesitate to take it now? And why did they call upon parliament to do for them what, if that was the case, they ought to have done long ago? If, on the other hand, the measure was impolitic, why was parliament urged to enforce a plan which was any thing else than beneficial to the interests of the empire? It would perhaps be said, that such a step as that to which he had adverted would be totally inefficient. That he denied. He maintained that it would be quite efficient. It was a step frequently resorted to by private individuals, and he could see no reason why it was not applicable to a public emergency. If the issue of a *ne exeat regno* was impolitic, why did ministers recommend to parliament the adoption of a measure, which, as it would be far more general, would be more extensively impolitic? Let it be also remembered, that if it were once to be established by law that no subject should enter into the service of a foreign state until he obtained a license from the king, to grant such a license would then become an act of hostility towards the power with which that foreign state was at war. As long as subjects might freely enter into the service of foreign states with the connivance of the Crown, that inconvenience could not occur; but when it was once established by law, that the specific consent of the Crown was necessary, the act of granting that consent would be considered as the act of a belligerent.

The hon. and learned gentleman had said that there was no clause in the bill which tended to injure the commercial interests of the country. The hon. member for London, however, in presenting the petition which he had that evening laid on the table of the House, and which, if he had been earlier in the House, the hon. and learned gentleman would have found was not the only one against the bill, had clearly pointed out some of the injuries which the country would experience from it in a commercial point of view, if it were passed into a law. He would beg leave to call the attention of the hon. and learned gentleman, and of the whole House to one provision of the bill which, in his opinion, was more pregnant with mischief to the country than any clause which he had ever read in any act of parliament. If the bill were allowed to pass with that provision, there would be an end to all hope of any commercial or social intercourse with South America. He alluded to the following clause:—"And be it further enacted that in case any ship or vessel, in any port or place within his majesty's dominions, shall have on board any person or persons" (the House would observe that they might be South Americans, and not British subjects) "who shall have been enlisted or entered to serve, or shall have engaged, or agreed, or been procured to enlist or enter or serve, or who shall be departing from his majesty's dominions for the purpose, and with the intent of enlisting or entering to serve, or to be employed, or of serving or being engaged or employed in the service of any foreign prince, state, or potentate, colony, province, or part of any province or people, or of any person or persons exercising or assuming to exercise the powers of government in or over any foreign colony, province, or part of any province or people, either as an officer, soldier, sailor, or marine, contrary to the provisions of this act, it shall be lawful for any of the principal officers of his majesty's customs, where any such officers of the customs shall be, and in any part of his majesty's dominions in which there are no officers of his majesty's customs, for any governor or persons having the chief civil command, to detain and prevent any such ship or vessel, or to cause such ship or vessel to be detained and prevented from proceeding to sea on her voyage with such persons as aforesaid on board." So that by that clause any ship was liable to be detained, if a common informer stated that he suspected she had any person on board who had enlisted, or even who intended to enlist in the cause of South American freedom — a suspicion which, indeed, it would be very difficult to disprove. And that, be it remembered, was to be the permanent law on the subject.

The next clause of the bill was also most extraordinary. It was as follows: "And be it further enacted, that if any master, or other person having, or taking the charge or command of any ship or vessel in any part of the United Kingdom of Great Britain and Ireland, or in any part of his majesty's dominions beyond the seas, shall knowingly and willingly take on board, or if such master or other person having the command of any such ship or vessel, or any owner or owners of any such ship or vessel, shall knowingly engage to take on board any person or persons who shall have been enlisted or entered to serve, or shall have engaged or agreed, or been procured to enlist or enter or serve, or who shall be departing from his majesty's dominions for the purpose, and with the intent of enlisting or entering to serve, or to be employed, or of serving, or being engaged or employed, in any naval or military service, contrary to the provisions of this act, such master or owner, or other person as aforesaid, shall pay the sum of ——— for each, and every person so taken, or engaged to be taken on board; and moreover, every such ship or vessel, so having on board, conveying, carrying, or transporting any such person or persons, shall and may be seized and detained by the collector, comptroller, surveyor, or other officer of the customs, until such penalty or penalties shall be satisfied and paid, or until such master or person, or the owner or owners of such ship or vessel, shall give good and sufficient bail for the payment of such penalty or penalties." By the last clause of the bill it was further enacted, "that if any action or suit shall be commenced, either in Great Britain or elsewhere, against any person or persons for any thing done in pursuance of this act, all rules and regulations, privileges and protections, as to maintaining or defending any suit or action, and pleading therein, or any costs thereon, in relation to any acts, matters, or things done, or that may be done by any officer of customs or excise, or by any officer of his majesty's navy, under any act of parliament in force, on or immediately before the ———, for the protection of the revenues of customs and excise, or prevention of smuggling, shall apply and be in full force in any such action or suit as shall be brought for any thing done in pursuance of this act, in as full and ample a manner, to all intents and purposes, as if the same privileges and protections were repeated and re-enacted in this act." He did not perfectly understand what the latter part of this clause alluded to. When, however, the circumstance that half the penalty was to go to a common informer and the other half to the Crown (being in fact a premium offered for the detention of every vessel in his majesty's harbours), and the protection afforded to the Custom-house officers, by the last clause were considered, it appeared pretty certain, that very few ships indeed, would be permitted to sail for South America without molestation; and yet it was argued that no injury could accrue from the bill to the commerce of the country! It certainly was not to be conceived, even if the principle of the measure should be agreed to by the House, that all the extraordinary regulations, which it at present contained, would be passed; but, as his hon.

and gallant friend had well observed, they showed the *animus* with which the bill was framed.

It had been contended in favour of the new measure, that it substituted the punishment of transportation for seven years, for the punishment of death, denounced by the existing law. But for his part, he would much rather that it should be declared that the existing law, with all its professed severity should be extended for the purpose in view, than that the present bill, with its provision for detaining vessels should be adopted. For, in the first instance, the impression would be that it was merely a measure to please Ferdinand, which would never be acted upon;—that it would remain a dead letter. But as the proposed law now stood, with the terrible power which it gave to Custom-house officers to detain ships having on board any person who was suspected of even entertaining an intention to enter into the service of the Spanish colonies, it would be put into active operation, and would be productive of most injurious consequences. The general complexion of the measure was such, that it was impossible for any one, who duly considered it, to deny that such would be the result of its adoption.

Before he concluded, he had another remark to make upon the bill. Never was any thing so unwise or so ungracious as the time chosen for proposing such a measure. A great part of the population of England had, by the policy and events of the last twenty years, been made military. They could not turn their attention to any other subject; they had been rendered unfit for any other occupation; and now they were to be cut off from the only service in which all their military enthusiasm might be freely indulged, and all their military talents be safely exercised. That was not the only evil which would ensue from the bill. It would prevent those social ties from being formed with an infant state which might eventually be productive of the greatest advantage to this country. The hon. and learned gentleman had remarked on the petition which had been presented against this bill. But it was not merely the direct operation of the measure in putting an end to the commercial connexion of this country with South America, that the petitioners complained of. Their complaint was, that if, under the mask of neutrality, parliament, ungenerously and unjustly threw a weight into the scale of Spain in her contest with the colonies, they would not only destroy all commercial connexions between this country and South America, but would prevent the formation of those social ties, and the occurrence of that domestic intercourse between the inhabitants of the two countries which endeared man to man, and which, in their ultimate operation, might be most beneficial to England. And for what purpose was all this to take place? For the purpose of assisting in the defence of the most——But perhaps it was advisable not to speak of the government of Old Spain as it deserved; and he would therefore content himself with saying, that the measure was proposed for the purpose of assisting in the defence of the worst government in the world. He would not pay such a government the compliment of taking any step whatever in its support. If this bill, therefore, had originated from any communication on the part of the Spanish government, he thought the House called upon to regard it with the greatest suspicion; but if it proceeded from a higher than its ostensible quarter—if it came, recommended by that imperial combination which had arrogated to itself the right of disposing of the fates of kingdoms and empires, and which had undertaken to regulate Europe, and to maintain what it chose to term her tranquillity, it was, in his opinion, still more objectionable. But let its origin be what it might; considering it to be in opposition to the principles of reason and sound policy, it should meet with nothing from him but the most determined hostility; and he should therefore warmly support his hon. and gallant friend's amendment.

Mr. *Wynn* observed, that if the description which the hon. and learned gentleman who had just set down had given of the operation of the bill before the House, namely, that it would prevent any enlisting on one side of the question, without touching the other, had been applied to the existing law, he would have acknowledged its accuracy. According to the present law, if an agent of the king of Spain were to attempt to recruit a single man for the cause of his royal master, he would subject himself to indictment, and to the possible forfeiture of life; while an agent of the Spanish colonies might recruit (as indeed had been done), embark, and carry out to South America, as many men as he could prevail upon to go, with perfect impunity. The hon. and learned gentleman had declared that he would abandon his opposition to the bill, if an instance could be shown him of a single individual having been prevented enlisting in the service of the king of Spain. But, if no such instance was to be found, to what might it be attributed? To the state of the law. No agent of the king of Spain would venture his life in such an attempt. If such an attempt were made, would it not be the obvious duty of any South American agent to his employers to prefer an indictment against the person making it? He denied that the acts of the 9th and 29th Geo. 2nd, had remained a dead letter. There were cases of persons who had been executed under those statutes, which he had met with in old magazines and other publications, which were the best channels of information relative to such transactions. He also denied, that in 1736, when the act of the ninth of George 2nd was passed, we were at war, as had been alleged, with the whole continent. No such general hostility existed at that period.—Whether the bill was considered with reference to its general principle or to its particular enactments, he equally considered it to be a measure not only warranted but demanded by circumstances. The hon. gentleman here entered into a variety of observations, in reply to that part of the speech of the hon. and gallant mover, in which he adverted to the Irish and Scotch who were employed in France, Spain, and Austria at former periods, in opposition to the British arms, and not treated in any other manner than as being entitled to be so employed, maintaining that they owed no allegiance to this country—for that they were the descendants of families domiciliated in the various nations of the continent.—The hon. and gallant member had alluded to the policy of the Swiss, in allowing their troops to enter the service of any powers with whom they were at peace. It was true that Swiss soldiers were at liberty to enter into the service of that power which paid them best; but he hoped he should never see such a principle introduced into this country. He hoped never to see recruiting parties going about enlisting British subjects to point their bayonets against each other for the sake of gain.—Another argument used against this bill was, that the common law being against such enlistments, there was therefore no need of any additional measure being introduced. But it would be inconvenient to resort to the common law, as in that case it would be necessary to prove that the party had actually entered the service, a contract to enter not being sufficient to procure a conviction. Then came an observation, that writs of *ne exeat regno* might be issued. The House, however, would perceive the inefficiency of such a measure to remedy the evil complained of. Separate writs must be issued to the parties, and before this could be done, the mischief would be effected. It was urged that hitherto only a few officers had entered the service of South America; but what was the fact? The enlistments were carried on in so open and public a manner, that it was disgraceful to ministers not to have interfered before. He had lately been informed by an officer, that in one instance, a battalion had been paid off at Chatham, and that 300 of the men were immediately enlisted in the service of South America. The same system was going on now, not only in this country, but in Ireland; and he thought that the Irish acts for preventing such enlistments, ought to be recited in the present bill. There were three Irish acts to this effect: the two first were similar to those in force in England; the third went further: it enacted that any person entering into the service of France or Spain, without the consent of government, should, in addition to the penalties of the previous acts, be deprived of taking an inheritance in that country. He thought the laws on this subject ought to be made uniform in both countries.—But it was urged, that if this bill passed, any license on the part of government allowing persons to enter into the service of a neutral power, would be a breach of neutrality. There were instances, however, to the contrary. In the case of admiral Knowles, for instance, power was given to enter into the service of Turkey, yet it was not considered a breach of neutrality. All belligerent powers had a right to remonstrate with neutral powers against assisting their opponents. In the American war, when France assisted the Americans, this country remonstrated, and though there existed less good faith in the French cabinet at that period than in any other in Europe, a proclamation was issued, and they used means, ostensibly at least, to prevent French subjects from acting against us We were called upon by all our foreign relations, to preserve a strict neutrality, and it was no answer to say, that we had no laws to prevent the interference of British subjects between Spain and her colonies. We should be told that we ought to make such laws if none existed. There was one clause of the bill which he thought might be amended. It was that which empowered the detention of vessels found to have persons going to join foreign powers on board. He admitted, that the proof authorising such detention ought to be fixed. Any objections to this clause might be amended in a committee—it did not make against the principle of the bill. It was the duty of this country not to adopt a policy different from the other states of Europe. If we were to sanction the existing system, then British subjects might enter into the service of a foreign power on the eve of its entering into a war with their native country. He denied that because men had fought in defence of their country, they were therefore rendered unfit to apply themselves to the civil situations of life. If, indeed, British subjects were allowed to fight in the cause of South America, they must necessarily be rendered less fit to serve their own country than before. The manner in which the war was carried on differed materially from the warfare of regular governments; it was carried on with a ferocity and a barbarity unknown in Europe; in fact, a soldier in South America must be a freebooter, and live, in a great measure, by committing depredations. The present measure was in accordance with the general law of nations, and only called upon this country to preserve a strict neutrality—not only between Spain and her colonies, but with respect to the other powers on the continent. He did not mean to be the apologist of the Spanish government, but he should be sorry to hear it pleaded in excuse for the violation of our promised neutrality, that we were advocating the cause of freedom. As to the private soldiers who had entered the South American service, he was confident that not one of them had been actuated by a feeling superior to the gain they were likely to derive from their employment. Under all the circumstances of the case, he felt himself bound to vote in favour of the bill.

Mr. *F. Douglas* said, he should not have offered himself to the attention of the House were it not for the extraordinary arguments used in support of this bill. He had entertained some hopes that this measure would not have been persevered in—not from any feeling of ministers of its obnoxious and baneful effects, but from a conviction that the sense of the country, was against it —from a conviction that they knew it would be destructive to the trade and commerce of the country; and that they would sink themselves still lower in public estimation by carrying it into effect. In this hope, however, he was disappointed; he found, on the contrary, that notwithstanding all the evils of which the measure was productive, ministers were still determined to carry it into effect; but he trusted the sense of the House would be, as the sense of the country was, decidedly against it. In the contest of the South Americans against the oppressions of Spain, there was more English feeling engaged, and more British interests involved, than in any other contest that had for a long time occurred. This was owing not only to the nature of the tyranny against which they struggled, the rights which they strove to establish, and the commercial advantages which their liberty would enable them to extend to us, but to a recollection of our former intercourse with them. We could not forget that we first invited them to throw off the yoke which our government was now trying to reimpose, and that the birth of their independence took place under the protection of England. We had been accused of encouraging a spirit of freedom when it suited our views, and of repressing it when the noble lord opposite commenced his negotiations, and found that his policy no longer required its assistance. The change had been realized in the conduct of this government towards South America, but he trusted the legislature would not permit it to be realized in the policy of the nation. We had formed an alliance with Spain without stipulating for a change in our laws. Let Spain have the fulfilment of her bond from the noble lord, and let English feeling and English heroism be allowed to exert themselves in favour of the liberty and independence of the states rising from under her oppression. The noble lord could only pledge himself to answer the demand of Spain in so far as the laws of his country allowed him—he could only agree to prevent the enlistment of soldiers, or the sailing of armaments, by the powers which the laws and constitution put into his hands; he could not stipulate with a foreign state to alter those laws, or engage to do any thing that implied a legislative change. The hon. gentleman who had last spoken had said that the principle of the present bill was recognized in the policy of every other state but this, and that we should be singular in refusing to accede to it. Such a singularity was a thing not at all alarming: he should be more alarmed at a conformity with the policy of foreign states. A minister of this country, when pressed to do any thing inconsistent with the laws, in order to please foreign despots, should answer, "I cannot." Our policy had always been as peculiar as our character, our genius, and our constitution; and while to that peculiarity we owed our liberty, our glory, and our greatness, it ought not to be a matter of much concern with us how it was viewed in our foreign relations. So far from maintaining the principles of neutrality, this bill would do quite the reverse, while the noble lord himself would allow that its provisions were in direct opposition to our commercial policy. In our present commercial distress, while our trade was in a state of stagnation, and our manufacturers were suffering almost intolerable hardships from the want of sale for the produce of their industry, Providence seemed to have opened to us the markets of South America—a country of immense extent, and of unlimited wealth, whose resources would grow with the growth of its independence, and in a short time enable it to purchase and consume whatever we could export for its use. The disposition of the people of the new states ought therefore to be consulted, as the means of promoting an intercourse so beneficial. Fashion ruled in states as much as among individuals. The South Americans were habituated to consider us as friends and models; they wished to obtain the approbation of freemen, and to enter into political relations with freemen. Such a disposition we should foster, not only for the advantage it might bring, but for the evils which it might prevent; for, let the House consider what might be the consequences of rejecting a union with states, which from that rejection might be thrown into the arms of the North American republic, and thus compose along with it an alliance of incalculable strength, possessing a country of immense extent, full of resources, disposed by its geographical position for the most extensive commerce and the closest intercourse, and combined to employ all its energies against the trade and power of this country from ancient jealousy or contemned friendship. We should therefore draw the bonds of affection closer between ourselves and the South Americans, by allowing those who had bled in the service of their own country, and who could not now find subsistence or employment at home, to go out to their assistance, to acquire additional experience in the new world, and to promote the progress of human happiness and freedom. They there would learn, not to support the dominion of continental despotism, but to co-operate with freemen in the recovery of their rights, and would return home not only better soldiers, but better citizens and better Englishmen. They would be taught in the same school with our Raleighs and Essexes, who had learned the art of war in combating the despotism of Spain in a similar cause. He should therefore oppose the bill, because he would not consent to alter our internal policy to suit our foreign relations, and because he was convinced that its principle was dictated by a set of sovereigns who were the enemies of freedom and independence [Hear, hear!].

Mr. *Marryat* said:—Sir; the hon. member who spoke last but one, observed, that we should best show our neutrality by passing the bill now under discussion; but I conceive, on the contrary, that we shall best show our neutrality by doing nothing, and that the moment we begin to legislate, we take a part. The hon. and learned gentleman who introduced the bill admits, that the common law, as it now stands, is inefficient for the purpose he has in view; and before we depart from that strict neutrality which we have pledged ourselves to observe, in the present contest between Spain and her colonies, by altering our laws in order to give an advantage to one party over the other, we surely ought most seriously to consider the justice of the cause in which we are about to engage. The government exercised by Spain in her South American dominions is, perhaps, the most despotic of which history can furnish an example. It has happened to me to be an eye-witness of it in the early part of my life; and my remarks upon it are therefore founded on actual observation and personal knowledge. Spain, not satisfied with that monopoly which mother countries in general claim of the commerce of their colonies, actually farmed it out to another set of monopolists, the merchants of Cadiz; that being the only port to which the colonies were permitted to trade; and what with the duties exacted, first in Spain, and afterwards in the colonies, and the profits made by the monopolists, every article was charged to the colonists at an advance of not less than 300 per cent upon its original cost. This, though a heavy tax upon their industry, was the least of their grievances; and as a feather in the scale, when compared with the weightier oppressions they suffered from the administration of their local government. All places of honour and emolument were shut against them, and filled by the natives of Old Spain; court favourites who were sent out to make their fortunes, and who accomplished the object of their mission with the utmost possible celerity, at the expense of the unhappy colonists; or men who purchased their situations, and indemnified themselves in like manner. Even the necessaries of life were made the subjects of exclusive privilege. At this moment, no man can sell a barrel of flour in the island of Cuba without first purchasing the permission of the marquis D'Arouca; and thus the princely revenue of a Spanish grandee, is wrung from the hard-earned contributions of the meanest wretches, who swallow the morsel of bread necessary for their daily subsistence. The very sources of justice were poisoned at the fountain; the judges notoriously received fees, or, to use a more proper word, bribes. If after the decision of a cause, the injured party thought proper to appeal to the king and the council of the Indies at Madrid, the appeal was founded on a statement drawn up by the corrupt judge who had tried it, so that redress was hopeless. Printed books were prohibited, unless examined by the priests, who rejected all they did not both approve and understand; so that the light of knowledge was withheld from these oppressed people, and they were kept in darkness, that they might be the more easily kept in subjection.

In 1808, when Buonaparté betrayed the royal family of Spain into his power, and set his brother Joseph upon their vacant throne, the Cortes who took up arms for the independence of their country, sent out accounts to the colonies, of the revolution that had taken place, and cautioned them against the intrigues of the emissaries of the usurper. The Spanish provinces, in reply, not only professed their loyalty to Ferdinand the 7th, but sent home large remittances in aid of his cause. In 1810, the arms of France having been victorious, and all the fortified places in Spain having fallen into their hands, the junta of Seville having been dispersed by the irruption of the French into Andalusia, and the nation being left without a government, and almost without hope, the Spanish colonies, by a simultaneous movement, established juntas for the administration of their own affairs; and these, forming themselves into the American Confederation of Venezuela, issued a proclamation, dated April 19th, 1810, in which they acknowledged Ferdinand as their legitimate sovereign. The council of regency, in whom, after the dispersion of the junta of Seville, the new feeble government of Spain was vested, passed a decree about the same time, permitting the colonies to trade with foreign nations, for such articles of their produce as Spain could no longer furnish a market for. This decree, morally just and politically wise, gave great offence to the monopolising merchants at Cadiz, and through their interest was revoked on the 17th of June following. Under the same influence, and in the same spirit, instructions were sent out to the Caraccas, to proclaim and punish as traitors all those who had been concerned in the late elections of the provincial juntas: a passionate as well as impotent ebullition of pride and despotism, which justified resistance on the part of the colonies, on the principles of self-defence, and self-preservation. Some of the provinces submitted to this decree of the regency of Cadiz, and re-established their ancient form of government; others did not. Thus, two parties were formed, called the royalists and the independents, and their dissentions soon ripened into civil war, which was carried on with various success, till Ferdinand 7th was restored to the throne of Spain in 1814. One of the first acts of his reign was, to issue a proclamation dissolving the Cortes of Old Spain, and forbidding them to exercise their functions on pain of high treason. Soon afterwards, he rejected the proffered mediation of Great Britain, which had been solicited by the junta of the Caraccas in 1810, and fitted out an armament to enforce the unconditional obedience of the South American colonies. In this short retrospect, we find the government of Old Spain and Ferdinand 7th uniformly maintaining the doctrine of unconditional submission and the divine right of kings; and the inhabitants of South America only claiming redress against the most odious and insupportable tyranny and oppression. The justice of the case, therefore, appears to be completely on their side.

Another consideration which ought also to engage our attention, is the probable success of the cause we are called upon to support. Whenever a country extends her colonies beyond a due proportion to her own territory and population, they as naturally become independent, as a young man when he grows up, shakes off the authority of his parents, and acts for himself. According to this law of Nature, the British colonies in North America became independent of their mother country. In like manner, Portugal would have lost the Brazils, but that by transferring the seat of empire there, she transformed the colony into the mother country, and the mother country into a dependency on the colony. Spain must submit to the same law. Her European territory consists of 25,000 square leagues, and her population is estimated at eleven millions. Her provinces in South America contain 500,000 square leagues of land, and the population is variously estimated at from 17 to 24 millions. If Great Britain could not reduce her colonies in North America, when their population was only two millions, what chance has Spain of succeeding against so much greater odds, and with such very inferior means? Where are the resources of Spain for carrying on this contest? Her treasures are in the mines of South America. The timber for building her ships is growing in the forests of South America. Her revenues depend upon the commerce of South America. All these are now lost to Spain, and gained to her colonies; and every year the war continues, will add to the weakness of the one, and to the strength of the other. America, too, has a powerful ally in her climate; to which her own sons are seasoned, but which is deadly to her European invaders—she has only to fly to conquer. By protracting the war, her climate will surely perform that work of extermination on the troops of Ferdinand 7th, which he vainly directs them to execute on his revolted subjects. Another ally she has in both the interest and feelings of the people of the United States, whose territories, by the purchase of Louisiana, now come into contact with the borders of Mexico. The great and avowed object of their ambition is, that the whole of the vast continent which they inhabit should become independent like themselves, and the New World one day rival the Old. Although a sop has, for the present, been given to Cerberus, by the cession of the Floridas to the United States, the policy of the government will not long be able to restrain the wishes of the people, but be compelled to join this popular and patriotic cause; an event which will at once consummate the independence of South America.—If we look back to the conduct of Spain towards this country, we shall find nothing that can justify the claim she now sets up. In 1776, when the British colonies in North America declared themselves independent, she, as well as France and Holland, opened her ports, both in Europe and America, to their flag, and supplied them with naval and military stores. In consequence of the remonstrances of Great Britain, she afterwards prohibited the export of these articles; but the prohibition was never enforced; and, in 1779, she issued a manifesto, declaring war against us, because we had intercepted a trade, which she declared, she as a neutral, had a right to carry on. Her late cession of the Floridas to the United States, has certainly furnished that government with great additional means of annoyance to our West India colonies, in case of war. The want of regard she has shown in both these cases, to the security of our colonial possessions, certainly releases us from all obligations to interest ourselves about her's; and leaves us at full liberty to follow the dictates either of interest or policy.

The inhabitants of South America, on the contrary, have given themselves some claim to our favourable consideration. They offered to submit to the mediation of our government, which Ferdinand 7th, (probably not feeling very good reason to confide in the justice of his cause), refused to accept. We also stand pledged to them and the world, to observe a strict neutrality in the present contest, which we shall not do, if we alter our laws to favour the interests of either party. The future conduct of South America to us will be regulated by ours to her at the present moment. The commercial intercourse with that great continent, is the object to which all Europe, and America too, are looking forward. If we incur her resentment, by assisting Spain in attempting her subjugation, we can expect no share of it; but if we act fairly and impartially towards her, then we shall conciliate her future friendship, and be placed by her hereafter, on the footing of the most favoured nations. Spain has no right to injure the peace and prosperity of the whole commercial world, by continuing her fruitless attempt to subjugate South America. All the maritime states of Europe, and Great Britain in particular, suffer severely from this war, in various ways. Out of it a race of freebooters and pirates has sprung up, who plunder all legitimate commerce without distinction, and who never can be subdued, till peace and good order are restored. Besides, Spain was only the conduit through which the treasures of South America were poured all over Europe. The produce of her mines, and the other valuable productions of her soil, were exchanged for our manufactures, and gave life and animation to our domestic industry. Thus we are connected with America by a chain of gold, like that by which the poets fabled that Earth was suspended to the vault of Heaven; and Spain has no right to break this chain, by carrying on a war of devastation and extermination, injurious to all her neighbours, and ruinous both to herself and colonies.

Our laws, as they now stand, give no advantages to the Independents, that are not counterbalanced by other advantages given to Spain. If British officers and troops embark in the cause of the Independents, arms and ammunition, the supply of which to them is prohibited, are not only permitted to Spain, but British ships of war convoy vessels so laden to their ports of destination. As an underwriter, I myself ensured a vessel, laden with arms and ammunition, from Jamaica to Vera Cruz, and made a return of premium for her being convoyed by the La Pique frigate. The Independent governments of South America not being recognized, their subjects are not permitted to claim in our court of Admiralty. The Hercules, commanded by commodore Brown, in their service, was carried into Antigua by one of our men of war, and condemned in the court of Vice Admiralty there. Commodore Brown appealed; but the learned judge who presides in the high court of Admiralty here, would not consider him as before the court, for the reason above mentioned, which in his opinion rendered him incapable of claiming his property. I mention this case, not with a view to impeach the decision of the learned judge, for whose profound legal knowledge, in common with all the world, I entertain the greatest respect; but merely to show the hardship with which our laws, as they at present stand, bear upon the inhabitants of Spanish South America. At this very moment, the harbour of Cadiz is full of British vessels, hired as transports to carry out the troops destined to act against them; whilst all assistance to their cause is prohibited by proclamations of the governors of our different free ports in the West Indies. So strongly has the spirit of hostility to the Independents been acted upon in Trinidad, that while emigrants of the royal party have been promoted to situations of honour and emolument, an asylum has been refused to persons of the opposite party; and even when a number of the inhabitants of Guiria, on the approach of the royalist army, embarked on board boats and canoes, or any craft they could find, and sought refuge in Trinidad, they were not permitted to land, but obliged to return to the place from whence they came, where they were massacred, men, women, and children, without distinction. A British sloop of war went down to Guiria some weeks afterwards, and on their return the officers reported, that the carcasses of these unhappy wretches had been left a prey to the birds of the air and the beasts of the field, and that for near two leagues together their bones whitened the shore. Surely, then, Spain can have no cause to complain, of the *partiality* shown to the cause of the Independents!

It appears to me inconsistent with sound policy, to prevent men of ardent minds, who have embraced the profession of arms, from enlisting in the cause of any foreign power, while Great Britain is at peace. It keeps alive that military spirit which it is of the highest importance for every country to maintain among her subjects; and which, in case of need, she may recall to her own service. We have now many meritorious officers on half pay, who find their income very inadequate to the maintenance of their families. We have also a number of disbanded non-commissioned officers and privates, many of whom can find no occupation, or whose long military habits have unfitted them for any other occupation. If these men imagine (whether right or wrong is not the question), that the road to glory and fortune is open to them elsewhere, it seems both impolitic and unjust to detain them here. It is converting this boasted land of freedom into a great prison; and engendering much discontent and dissatisfaction at home, which had better be allowed to effervesce abroad. Natural justice seems to require, that every individual should be allowed to employ his talents, or pursue his interests, in any way that is consistent with the allegiance he owes to his own country. I wish, therefore, the acts of the 9th and 29th of George 2nd, which were passed for a particular and temporary purpose to be repealed. By this means we should give that full liberty of action to individuals for which I contend, and place both the belligerent parties on a footing of perfect equality.—Much has been said about the treaty between this country and Spain, made in 1814; but this binds us to nothing more, than to prevent the supply of arms, ammunition, and warlike stores, to the revolted provinces. I noticed, indeed, in the preamble to this treaty, the expression of a wish "to draw closer the bonds of amity, that at present so happily subsist between their Catholic and Britannic majesties;" but I considered these words merely as expressions of diplomatic courtesy, and never meant to be seriously acted upon, or I should have thought they called for the reprehension of parliament, whenever this treaty was submitted to their consideration. My sentiments are very far from according with the wish in this preamble, whether I consider the nature of the Spanish government itself, or the character of the individual by whom that government is at present exercised. The principles of the Spanish government are tyranny and bigotry; and both these principles appear to be acted upon to their fullest extent by Ferdinand the 7th. He has re-established the Inquisition; he has re-established the use of torture; he has behaved with the most unparalleled ingratitude to those brave men, whose valour and patriotism, with British aid, rescued his dominions from the yoke of an usurper, and placed upon his head the crown that he now wears. In return, he has loaded them with chains, and immured them in dungeons, or transported them to perish in pestilential climates. One of his first acts of gratitude towards us, was to offer a national thanksgiving to God, that his land was no longer polluted by the presence of heretics. He has waged a war of extermination against his subjects in South America, instead of conciliating them by just and politic concessions. In short, he has attempted to extirpate every liberal and independent sentiment throughout the whole of his dominions, and establish the reign of terror. With such a government as this, and the government of a free country, there can be no common bond of union; and to pledge ourselves to any thing farther than strict neutrality enjoins, would be as repugnant to the public feelings as to the best interests of this country.

Sir *C. Robinson* said, that it was the duty of the House, upon the present occasion, to act without reference to the merits of either party concerned, but upon the ground of a strict neutrality. On that principle he conceived the present measure to be necessary. After the struggle in which this country had been so long engaged, and now that peace was restored, they should show to the world, that they respected the law of nations, and, in that, the rights of a strict neutrality. In a paper lately circulated, and which he believed was put into the hands of most of the members of that House, allusion was made to the practice in the time of James 1st, with respect to Spain. The situation of the two countries was then different to what it was now. At present they were at peace with Spain, but at the period alluded to were in strict alliance with the United Provinces, and had cautionary towns there, which it was their interest to defend. In all the treaties with Spain since 1630, the same principle as that upon which this bill proceeded was recognised. The treaty of 1630 was renewed in 1667, and lately again in 1814. The only object of the present measure was, to remove all doubt upon the subject. The courts of admiralty here frequently acted upon the principle recognised in the bill. There was a case in the 28th of Charles 2nd, of an indictment brought against an English subject for cruising against Spain in a French ship. Though the principle was thus admitted, and acted upon in the courts, it did not follow, that a measure for recognising it was unnecessary at present. The same principle was acknowledged in the treaty of 1794 with America. It commenced with a stipulation, that the subjects and citizens of both nations should observe a strict neutrality, and not accept of commissions from foreign powers at war with either; that in such a case, those who armed or equipped letters of marque, should be considered and treated as pirates. This was certainly too severe, and the courts could never decide, that persons so transgressing were guilty of piracy, and should be treated as such. It was better, however, that all doubts upon this subject should be removed, and the exact nature of the offence and mode of punishment defined. Such was the object of this bill. The treaty of 1814 with Spain would be quite nugatory, if English subjects might freely embark in support of the Spanish colonies against the mother country. The statutes of George 2nd, so often alluded to upon this occasion, did not arise merely from a temporary necessity; they were founded upon a previous statute of queen Anne, but they were not founded on the limited policy ascribed to them; they proceeded on a general principle. Would it be fair or just, then, that the people of South America should be put on a better footing, with respect to the rights of neutrality, than legal and recognised governments? The bill, he would contend, was founded on the most correct principles of neutrality, and the provisions of it were agreeable to the best practice of our ancestors. On these grounds, he would give it his cordial support.

Mr. *Macdonald* was anxious to impress upon the House this great and important fact—that the present measure, however supported by the learning and logic of Doctors Commons, whatever abstract reasoning might be employed by gentlemen on the other side in support of it, did mainly and effectually go to the destruction of the cause of the independent patriots of South America. Much had been said also by the gentlemen on the opposite benches, respecting the right of this government to interfere. The right could not for a moment be contradicted; but he entertained considerable doubt, whether the House would have the heart to pass such a bill as was now attempted to be thrust upon the nation. Although the arguments of his hon. friends, who had spoken that night against the measure, had not been overcome, yet they had, in some degree, been distorted and disfigured by what had been said by the other side; and he thought he could not do better than bring back to the recollection of the House, some of the most striking arguments which had been urged against the bill. With respect to what had been said as to the common law on this subject, they might be assured, if the common law were sufficient, the attorney general would not have had recourse to this bill. Gentlemen opposite had succeeded, to a certain degree, in disfiguring and distorting the arguments of the members for Banbury and Sandwich (Mr. F. Douglas and Mr. Marryat). They had never pretended that we had a right to employ the military resources of this country in the cause of the South Americans, or that what could not be openly justified might be done covertly; for the first would be foolish, and the second would be base; but they had contended, that we should observe a substantial and *bonâ fide* system of non-interference in the dispute, and that this principle could only be satisfied by leaving the laws as they were, without reference to the manner in which they might affect any of the parties. His hon. friends had therefore deprecated a departure from a system of real passive neutrality, to one of apparent neutrality, and real interference in behalf of one of the parties; and they had shown, that the time and circumstances when the attorney general had brought forward this bill, wholly altered the character of the measure—that while it sounded equitable to the ear, it would be, in its operation, most unjust and oppressive. He agreed with his hon. friend below him in what he had said with respect to the suspicious origin of the measure, because it bore, in his opinion, most unequivocal marks of foreign suggestion, and of coming from a quarter too, of all others (for no power ought ever to interfere with our internal laws) the least entitled to expect any grace or favour at the hands of an English parliament [loud cheering]. He had spoken of the time and circumstances when this bill was proposed as betraying its origin. Why was no such measure proposed at the commencement of the contest? Perhaps the noble lord's feelings did not suggest to him, that his countrymen would take such deep interest in a cause so illegitimate, as to transport themselves to such distant shores to afford aid to that cause! Notwithstanding the length of time this contest had lasted, no such measure was proposed till now. The noble lord had told them, that they did not propose it so long as any hope of reconciliation remained.

But the noble lord knew, that so long ago as the time of the mission of lord Wellesley to Cadiz, all hope of reconciliation was chimerical—that the war from thenceforward assumed the character of *bellum ad internecionem*. Never, during the progress of this war, which had lasted so many years, and many of the events of which no man could think of without his blood running cold, had the noble lord come forward. But now, when a crisis had arrived—when these men, fighting for all that was dear to them with so much perseverance and constancy, had all but won the prize of their glorious deliverance—now when they came forward to strike the deadly blow, the noble lord stretched forth a saving hand to the last efforts of expiring tyranny [loud cheering]. He objected to the time when the measure was brought forward, but he objected still more strongly to the principle of regulating our laws under the declaration of a foreign power. The 9th and 29th of George 2nd, were not acts framed on a principle of general policy, or as part of our jurisprudential system, but under a temporary pressure, and to avert dangers which threatened the country. But it was said, a case had now arisen which had not been foreseen. No, it was not foreseen that haughty Spain would so soon have been at war—not with powers and states, her former adversaries or rivals, but with her own colonies—the victims on whose necks she had set her feet. It was not foreseen, that the most besotted bigotry, and the most odious tyranny which had ever disgraced an European nation, would so soon have produced their ultimately necessary consequences, would so soon have corrupted to the core the proud Castilian monarchy, stripped it of its rank and consideration in Europe, and threatened it with the loss of those extensive territories beyond the Atlantic, the conquest of which had been marked with cruelty and blood [Hear, hear!]. This had not been foreseen; but he venerated too highly the statesmen who directed the councils of this country in the early reigns of the Hanover family, to think, that if they had foreseen it, they would have attempted to stifle the sympathies of the English people in the cause of rising independence. This was reserved for the present times, and for the present ministry. Whence came it that England was thus always misrepresented in the eyes of the world?—that while its people were always anxious that the blessings which they enjoyed should be widely diffused among others, those who managed their diplomacy contrived uniformly to put them forward as the confederates or the instruments of those who were at war with human happiness? The noble lord had so contrived his treaties and his alliances, that, notwithstanding the brilliant successes of our arms, there was scarcely a corner of Europe, in which the people did not view with disgust the manner in which we had used the power which those successes had put into our hands; yet this was not enough, but he must go in search of materials for a farther exercise of his ingenuity in the contests of another hemisphere. What the result of the present struggle between Spain and South America might be, was doubtful; but the feelings of the great South American continent could not be a matter of indifference to the first maritime and commercial country of the world. It was easy to cultivate the good-will of the South Americans; but national antipathies, once rooted, were not so easily removed. The South Americans had standards by which to measure our conduct. The bureaus of our secretaries of state, the proclamations of our West India governors, cry out in their favour. We first point out to them the oppression under which they suffered, as odious and intolerable to reasoning men. Would they, with this evidence of their declarations in 1797 staring them in the face, put on the statute book in 1819, the record of their falsehood? As to Ferdinand, in whose behalf we were now called on to interfere, this monarch, who was leagued to us in the strictest amity, had the other day made over a most important colony to our great western rival, without consulting our interests or our wishes. The cession of Florida to the United States could never have taken place, if the spirit of the Treaty of Utrecht had prevailed in the negotiations of those statesmen to whom the settlement of Bavaria, Baden, or any other German province, had seemed of so much consequence. But, independently of positive treaties, there could be no question that we should have been justified in interfering in such a case, as self-preservation, which formed a part of the law of nature, was necessarily a part of the law of nations. The conduct of Ferdinand in this case had been defended by a noble lord in another place, on the ground that he had not power enough to defend his own possessions. If so, he might cede his territories when and to whom he pleased, and we were to sit by with folded arms. But when it was found that though he had lost the power to protect, he had not lost the power to oppress his subjects. When the question was, not the ceding a colony to our rivals, but the erecting a great empire, not to our advantage alone, but to that of the whole civilized world; at such a moment, were we to bestir ourselves, to ransack our statute books, to make that law in his favour which never was law before, and to exert our legislative power to assist this impotent, though legitimate and oppressive monarch [Hear, hear!]? He should, therefore, add his opposition to that which had been more ably offered against the bill. The nation revolted at it. The nation had been content to act on the system of non-interference, but farther than this it would not go, in opposition to its best feelings. The feelings of the English people were not to be trifled with. The government, solid as its institutions were, mainly rested, after all, on public opinion. Popular prejudice it might dissipate; popular error it might encounter; but the public opinion, founded on the good and generous feelings of the universal British nation, would be found to be stronger than even power itself! [Hear, hear!].

Lord *Castlereagh* said, that the bill as it was now proposed, was open to no objections, on account of any retrospective operation; it was purely a prospective measure. In looking at the principles in which his hon. and learned friend had proposed this bill, it would be an error to suppose that it had been directed against individuals who had chosen to separate themselves from their native country. The character of the offence, without which, he might venture to assert, parliament would not have interfered, was that of a combination to make this country the spot where levies were to be raised and organized, to take part in the unfortunate quarrel between Spain and her provinces. Not regiments merely, but what might almost be called armies, had not only been raised, but had received all their military organization in this country, and sailed perfectly prepared to proceed to warfare on their landing. The gallant mover of the amendment had said, that in the United States, two frigates had been fitted out. But he had yet to learn, that this had been done with the connivance of their government; indeed, the whole course of its policy was opposed to this idea. But vessels had been sent out armed from this country (and government, under the present law, had found itself unable to prevent their departure) carrying out regiments in an organized military shape, ready to take part in their quarrel. As to the law of nations on the subject, he was ready to acknowledge, that when a state was in the habit of allowing its subjects to enter into the service of belligerents as mercenary troops, if this were done without partiality, no cause of complaint could be given. But as it had not been the practice of this country to allow its subjects to enter as mercenaries in the service of foreign powers, so it was also manifestly against the law of nations to allow, that troops should be raised for one belligerent party, and not for another. As to what had been said, by the hon. gentleman who spoke last, and who, with much eloquence, certainly, had more declamation than argument, he would ask, how that gentleman would feel, if our colonies should be in a state of revolt, and armaments should be fitted out to assist them in the ports of Spain; or if the merchants of Boston or New York, should fit out expeditions to assist them. Yet, if they refused to pass this law, with what justice could they interfere? He should be ashamed, as an English minister, to call, in that case, on a foreign state, merely because we might be the stronger nation, to take that course which we had refused to follow. It had been shown by the learned advocate-general (sir C. Robinson) that the measure was in strict conformity to precedents, and that when there had been any well-founded complaint on the part of a foreign state of undue interference of our subjects in its quarrels, parliament had always been ready to afford a remedy. The act passed in 1736 was manifestly enacted, not solely with a view to internal security, but to prevent the interference in foreign quarrels. It was of course acknowledged that the Crown might, as it did at that time, exercise any degree of mercy towards persons taken in the service of its enemies, who might be members of families whose removal from this country it might wish to facilitate. The manner of its dealing with these offences was at its own discretion, and did not invalidate the principle of preserving a neutrality towards two other parties. But it was said, we should leave the law as it was. But, if by the law in its present state, from an obvious oversight of the legislators, the supporters of one of two belligerent parties were exposed to the penalties of felony for any exertions, while the friends of the other might raise levies and fit out armaments, could it be said that neutrality was observed? He felt it difficult to argue so plain a point, especially when watching the countenances of the gentlemen who had spoken on the other side; he fancied he had observed that they could scarcely keep a grave face, while offering the arguments which they seemed to think due as an effort in the cause. If the evil he complained of was ever to be repressed, the parliament was specially bound to do it at a time when the character of the country had never before been so flagrantly and indecorously abused by the fitting out of armaments in our ports and cities. He repelled the idea that because we had encouraged the South Americans in 1797, we were now bound to act in their favour. What had been done then was inconsiderable, and had produced no effect. We were then at war with Spain. He therefore protested against the doctrine, that because an attempt at one time had been made to take advantage of the feeling in an enemy's country, and had been ineffectual, that we were to be incapacitated for stipulating for neutrality with that state for ever after. Hitherto we had acted on the most perfect system of neutrality, except when the law obstructed the system. Notwithstanding a statement of an hon. gentleman who had said that arms were allowed to be exported to the provinces which were in possession of the royalists, he could assert that this was not the fact, and that permission had been refused to take arms even to Havannah, lest they might by circuitous means be introduced into those provinces. The noble lord then read extracts from the correspondence with the governor of Trinidad, to show that the assertion of Mr. Marryat, that the inhabitants of the Main, flying from the Spanish troops, had been refused a refuge in Trinidad, was not true. The governor asserted in a letter that at the time referred to 690 individuals had been admitted to an asylum without expense; and that vessels had been sent to the islands near the Main to fetch those who, flying in crowded boats, might be unable to reach Port Spain; he stated that a vessel was also furnished to take the chief of the Insurgents, Vido, to St. Bartholomew's, and that a royalist flechero, in the harbour, was kept under the guns of the batteries till he was out of reach. From November 1814 to January 1817, 3,823 individuals had found refuge in Trinidad. He was afraid that the hon. member had obtained his information, which was altogether unfounded, from other merchants, who had forgotten the British mercantile character in their occupation as agents for those colonies. In their uniting commerce and war, the merchants were not acting in a manner worthy an honest and high minded people, and the trade of the nation itself was compromised. He had seen a communication from the commander in chief in Jamaica, that the trade was materially suffering on the coast of the Main, by the indisposition of the natives towards our trade. The House of course must be aware, that the resources of Spain would be insufficient to have supported the war thus long, had she not been aided by a great body of local interests. Both the parties would have more readily received our traders, had they not mixed war with their other occupations. There was nothing in the bill to impede commerce; the government had always done their utmost to encourage and to protect it, as well against the Insurgents as against the Spaniards. As to the claims of Spain on us, he should state how the treaties with her stood. In 1808, we had entered into a treaty of alliance with her, which ended with the war. At the close of the war, a new treaty of alliance was made, which had lain on the table five years without a word having been said against it, and had been implicitly sanctioned by the general vote in favour of the arrangement at Vienna. As to the anecdote of the hon. gentleman, that the first act of the king of Spain was, to offer up thanksgivings for the purification of his kingdom from the Heretics, he had never heard, and did not believe it to be true. His first act, in reality, was, to express a desire to renew the English alliance, and to give an assurance that the family compact with France, which had been once disagreeable to us, should not be renewed. In the treaty of alliance was the article respecting the slave trade, which had since led to a happy arrangement. If the House would only consider the proclamation set forth by this country, they would immediately perceive that it was impossible for the government to permit armaments to go out without interfering to prevent it. Even those who opposed the motion went upon the ground that the common law was sufficient in itself; but he would be glad to hear from them what step could be taken under the common law to prevent such proceedings? He could state that the best legal advisers had been consulted, and their opinion was, that no proceeding could be taken under the common law. With respect to the policy pursued by other nations, it certainly was not binding upon this country. England had a right, and would at all times exercise that right, of judging for herself; but he must say that the House were greatly misinformed, if they thought that the law passed by the American government in 1818, was such as had been described, The House would find that the law alluded to made provision against the recruiting of their armies, and supply of their navies, and when other governments took such pains to support their own neutrality, they would surely admit that this country should be the last to abandon that principle, and particularly when we were bound by positive treaties to adopt that course. If the government now called for any sanguinary enactment—if they proposed to abandon the moderation by which this country was distinguished, he would admit that a ground was made out to justify the rejection of the measure; but when they only asked of parliament to put into execution the common law of the land, for which execution no adequate provision existed at present—when it was seen from the whole construction of the bill, that its operation was to be merely prospective—he thought that the House would concur in a proposition so necessary, and so well guarded against abuse. We were bound not to suffer the assembling of armed bodies for the purpose of acting upon either side, and the bill, founded in such a principle, was not only just in itself, but was, in fact, essential to the honour of the British nation.

Mr. *Marryat*, in explanation, observed, that the statement of the noble lord with reference to the transaction at Trinidad, proved only that great numbers were admitted into that colony, but did not go to contradict the particular fact to which he alluded, of certain persons having been refused.

Mr. *Goulburn* said, he remembered that, in 1816, a complaint was made to government by the hon. gentleman and other merchants, of the refusal to admit persons into Trinidad who had arrived there; but the result of the inquiry adopted by government in consequence of the complaint was, that no person whatever had been refused admittance.

Mr. *Martin*, of Galway, rose, amidst loud cries of question! He expressed a wish that the hon. member who was particularly loud in his call, would identify himself to his view.

The *Speaker* observed, that the hon. member must be aware that the manner in which he had thought proper to notice the interruption was not consistent with the usual practice of the House on such occasions.

Mr. *Martin* begged pardon if he was wrong, but assured the House, that his intention was merely to call upon the hon. member to show himself, as he was satisfied that in doing so, the Speaker would be prepared to enforce order by his authority. He then proceeded to remark, that the present bill went only to enforce a principle of law which was already recognized. If government had forborne any longer, he was persuaded the country would have rung with charges of violated neutrality. If Mr. Fox were now alive, he was certain his vote would be in favour of ministers on the present occasion.

The question being put, That the bill be now read a second time, the House divided: Ayes, 155; Noes, 142. The bill was then read a second time.

### *List of the Minority.*

Abercromby, hon. J.
Allen, J. H.
Althorp, viscount
Aubrey, sir J.
Anson, hon. G.
Blandford, marq. of
Barham, J. F.
Bernard, visct.
Burrell, W.
Barnett, J.
Becher, W. W.
Belgrave, visct.
Bernal, R.
Benyon, B.
Birch, J.
Brand, hon. Thos.
Byng, G.
Burrell, hon. P. D.
Bent, John
Buxton, T. F.
Calcraft, John
Carter, John
Cavendish, lord G.
Cavendish, hon. H.
Clifford, Aug.
Clifton, visct.
Colborne, N. R.
Coke, T. W.
Coke, T. W. jun.
Crompton, S.
Carhampton, earl of
Davies, T. H.
De Crespigny, sir W.
Denman, T.
Denison, W.
Duncannon, visct.
Dundas, hon. L.
Dundas, hon. G.
Dundas, Thos.
Evans, Wm.
Ebrington, visct.
Ellice, Ed.

Euston, earl of
Forbes, C.
Fazakerley, Nic.
Fergusson, sir R. C.
Fitzgerald, lord F.
Fitzroy, lord C.
Fleming, John
Foley, Thos.
Folkestone, visct.
Gaskell, Benj.
Gurney, R. H.
Grant, J. P.
Gordon, Robt.
Graham, Sandford
Graham, J. R. G.
Grenfell, Pascoe
Guise, sir W.
Gurney, Hudson
Horrocks, Saml.
Heygate, ald.
Hamilton, lord A.
Harvey, D. W.
Hill, lord A.
Honywood, W. P.
Howard, hon. W.
Howorth, H.
Hughes, W. L.
Hume, Jos.
Hutchinson, hon. C. H.
Lamb, hon. G.
Lamb, hon. W.
Lambton, J. G.
Langton, W. G.
Latouche, John
Latouche, Robert
Lefevre, C. S.
Lemon, sir W.
Lloyd, sir E.
Lyttelton, hon. W.
Macleod, R.
Macdonald, J.
Mackintosh, sir J.
Milton, visct.
Maxwell, John
Monck, sir C.
Moore, Peter
Morpeth, visct.
Marryat, Jos.
Mackinnon, W. A.
Newman, R. W.
Newport, rt. hon. sir J.
North, Dudley
Nugent, lord
O'Callaghan, J.
Ord, W.
Osborne, lord F.
Palmer, C.
Palmer, C. F.
Pares, Thos.
Parnell, sir H.
Pelham, hon. C. A.
Pelham, hon. G. A.
Philips, G.
Philips, G. jun.
Phillips, C. M.
Primrose, hon. F.
Powlett, hon. W.
Price, R.
Pryse, Pryse
Rickford, Wm.
Ricardo, D.
Ramsden, J. C.
Rancliffe, lord
Ridley, sir M. W.
Robarts, W. T.
Robarts, A.
Russell, lord G. W.
Russell, lord J.
Rumbold, C.
Sneyd, N.
Sebright, sir J.
Scarlett, J.
Sefton, earl of
Smith, W.
Smith, hon. R.
Smyth, J. H.
Spencer, lord R.
Tavistock, marq.
Thorp, alderman
Tierney, rt. hon. G.
Vernon, Granville
Wilson, Thos.
Williams, sir Robt.
Walpole, hon. G.
Waithman, Robt.
Webbe, Ed.
Western, C. C.
Whitbread, W. H.
Wilkins, W.
Wood, ald.

TELLERS.
Wilson, sir R.
Bennet, hon. H. G.

Mr. *Canning* said, that, connected with the present subject, he had a petition to present from the merchants and inhabitants of the town of Liverpool, praying that the bill should not be permitted to pass. The ground on which the petitioners rested their application was, that the beneficial trade at present carried on with South America was likely to suffer from such an enactment; but, in the present case, as in others of equal importance, he took the liberty of differing from his worthy constituents, and he did not hesitate to express his decided opinion, that their fears were chimercial, and that the trade of this country with South America would not prosper less from the circumstance of this country taking a decided part for the preservation of her neutrality.

Ordered to lie on the table.

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## HOUSE OF COMMONS.

### *Monday, June 7.*

PETITION OF JAMES MILLS.] Mr. *Protheroe* said, he held in his hand a petition which he understood members of that House, of greater experience and judgment than he possessed, had refused to present. From his views of the invaluable right of petitioning, he had agreed to present it. It was from Mr. James Mills, an engineer of Bristol, complaining that at a late trial at the Old Bailey for a libel, where the petitioner was prosecutor, the judge who presided refused to allow him to address the jury; and further stating that the verdict was not the result of a fair trial.

Mr. *Courteney*, highly as he valued the right of petitioning, viewed the present application as an abuse of that right. In what way could the House interpose, the petitioner did not himself state; and it was most desirable that such *ex parte* allegations against those who administered the law should not be inserted on the Journals.

Mr. *Protheroe* said, he had very little knowledge of the circumstance to which the petition related; but that he felt considerable delicacy in taking any objection to it, as the petitioner was one of his most active opponents during the last election for Bristol.

The motion that the petition do lie on the table, was negatived.

PETITION OF WILLIAM BRASSINGTON COMPLAINING OF DISTRESS FOR TAXES.] Sir *Robert Wilson* said, he rose to present a petition intimately connected with that important, that fearful subject, which was to occupy the attention of the House that evening. The petition was from a person of the name of Brassington, formerly residing in Goodman's-fields, and one of those unfortunate individuals who were unable to bear up under the difficulties arising from the overwhelming load of taxation with which the country was burthened. He had been plundered of all his property, and reduced to absolute ruin, by those persons whom government had armed with such exorbitant powers in collecting the taxes. The gallant general then proceeded to read several clauses of the petition. It stated, that one of the officers, attended by three men, entered his house, and claimed 30*s.* of taxes; the petitioner entreated them to wait for a short time till he could raise the money, but they declared they would not wait one minute. Accordingly they proceeded in the most violent manner to seize on his furniture, and took away an eight day clock. His wife, who was at the time advanced in pregnancy, was so alarmed by the violence of their proceedings, that a most dangerous illness ensued, and at last she was delivered of a dead child; nor was she ever likely to recover from the fright she had received. He was aware that there was redress to be had at law, but legal proceedings were too costly for him; and of this the officer was well aware, for he had told the petitioner at the time, that if he had no money to pay his taxes, he could have none to enable him to go to law. The petitioner then proceeded to describe the last dreadful scene which completed his ruin, and that of his helpless family. An execution was levied on his property, his house was filled with men, and all his furniture was removed but one bed on which his sick wife at the time was lying. The officers, though repeatedly called on, refused to show the authority by which they acted, and the petitioner had been unable to procure to this day either an account of his property or a receipt for his taxes. He had borne up as long as possible under the burthen of the taxes, and, to be enabled to pay them, he had denied himself and his family their usual comforts, till at last he had seen himself deprived of his all, and his helpless family reduced to ruin. The petitioner concluded with praying, that the House would set about the reduction of the present insupportable load of taxes. The scenes disclosed in that petition, sir Robert Wilson said, confirmed him in the determination he had previously formed, not to vote a shilling of additional taxes until the grievances of the people were redressed. The greatest of those were, he was persuaded, the state of the representation; every day's experience convincing him, that a more direct connexion and congenial sympathy were wanting between those who made and those who obeyed the laws. When he reflected on the sufferings of the people at the present moment, and of the difficulty many had to provide even the necessaries of life for their families, he would sooner lay his head on the block, than say "aye" to the Finance Resolutions of the chancellor of the exchequer, or to any other proposition for adding to the present insupportable pressure of taxation.

Ordered to lie on the table.

RESOLUTIONS RELATING TO THE PUBLIC INCOME AND EXPENDITURE.] The Chancellor of the Exchequer moved the order of the day, for going into a Committee on the First Report of the Committee of Finance, and the House having resolved itself into the said Committee,

The *Chancellor of the Exchequer* said, that after the Report which had been presented on the state of the finances of the country, the committee would naturally expect, previously to any explanation of the arrangements which had been made with a view to meet the supplies of the current year, that some discussion should take place on the matters contained in that Report. It was natural to expect, not only that the general financial state of the country should be brought under the consideration of the committee, but also that some explanation should be given as to the measures which his majesty's government intended to propose to parliament in the present state of the finances, as in their opinion most suited to the situation in which the country now stood. To make such an explanation the more clear and intelligible, and to separate it from the more minute technical details, he had suggested the mode of embodying in the form of Resolutions the more general propositions, as to our financial situation, unincumbered by the particular details which would come to be considered on a future occasion. He therefore hoped that the committee would feel that it would be expedient first to enter into the discussion of those prominent features of our situation which were traced in the Resolutions that he had on a former evening laid on the table. In those Resolutions he had endeavoured, in as short and simple a manner as possible, to bring into view the most material facts, as separated from the details. He had made no reference to any distinct appropriations; because in whatever way they might be arranged, and to whatever degree they might be multiplied, the great and leading question must always be, whether the public income was equal to the public expenditure? The finance committee whose labours he was sure the House must highly appreciate, had addressed themselves to that general and comprehensive view of the subject; it was on their reports the resolutions which he had the honour to propose were founded, and to their reports he should therefore refer for the necessary illustration of those resolutions. He would first give a general view of his resolutions; and he would then more particularly describe the mode in which he proposed to carry them into effect.

The first Resolution stated, "That since the termination of the war in 1815, the property tax in Great Britain, and other taxes in Great Britain and Ireland, which yielded a revenue of upwards of 18,000,000*l.* per annum, have expired or been repealed, or reduced." Of the particulars of that reduction an account had just been laid on the table by his hon. friend, which exhibited the various branches of the revenue in which it had taken place in each; and it thence appeared, that the gross amount of annual taxes reduced since the peace was, on the average of the last two years of their collection, 18,700,000*l.*

The second Resolution regarded the consolidation of the English and Irish exchequers. It stated,

"That by an act passed in the 56 George 3rd, cap. 98, the revenues of Great Britain and Ireland were consolidated from the 5th of January 1817; and that in the year preceding the said consolidation, the nett separate revenue of Ireland was 4,561,353*l.* and the charge of the funded and unfunded debt of Ireland, was 6,446,825*l.* including therein the sum of 2,438,124*l.*, as the sinking fund applicable to the reduction of the debt; which charge exceeded the whole nett revenue of Ireland by the sum of 1,885,472*l.* without affording any provision for the civil list, and other permanent charges, or for the proportion of supplies to be defrayed by that part of the united kingdom; and that no provision has been made by this deficiency."

By this resolution it appeared, that the whole amount of the Irish national debt had been thrown into the general mass of the debt of the United Kingdom. And here he begged leave distinctly to state, that he did not mean to say that Ireland had not, according to her ability, contributed her fair proportion to the wants of the country. But at the period when the Union of Ireland with Great Britain took place it could not be foreseen that for fourteen years there would be an uninterrupted course of the most expensive war ever known. Indeed, to have contemplated at that period the enormous expenditure which the circumstances of the war subsequently called for, would have appalled the stoutest and most sanguine heart. This observation was applicable to Great Britain as well as to Ireland. When the enormous sums which it became necessary to raise by loan during the war were considered, every one must feel them to be such as it would have been impossible to calculate on beforehand. Whether, with a view to the capabilities of the country, all the arrangements which had been made were such as, upon a knowledge of its resources, would have been most advisable, it was now quite useless to inquire. But certain it was, that, from the peculiar situation in which Ireland was placed, arising from its disordered state in the year 1797 and 1798, the imposition of war taxes had been found impracticable; and if a larger proportion of revenue had been proposed to be contributed by Ireland, it would have proved a strong obstacle to the Union. The consequence was, that while Great Britain raised a large portion of its supplies within the year, Ireland was compelled to meet its extraordinary expenditure by loans. This produced a very important difference in the state of the debt of the two countries, as accumulated during the war. In the period which elapsed between the Union of the two kingdoms and the consolidation of their exchequers, while the national debt of Great Britain increased in the proportion of four to seven, that of Ireland increased nearly eightfold, or, to speak more correctly, in the proportion of 15 to 92. The debt of England had increased within the period to which he adverted from 413,000,000*l.* to nearly 700,000,000*l.*; and that of Ireland from about 15,000,000*l.* to nearly 92,500,000*l.* The inevitable consequence of this was, that the consolidation of the exchequers of the two countries imposed a great additional charge on Great Britain; amounting, as specified in the resolution which he had just read, to 1,885,472*l.*—The remaining resolutions were these:—"That the supplies to be voted by parliament for the present year may be stated at 20,500,000*l.*

"That the existing revenue applicable to the Supplies cannot be estimated at more than 7,000,000*l.*; leaving the sum of 13,500,000*l.* to be raised by loan or other extraordinary resources.

"That the sinking fund applicable to the reduction of the national debt, in the present year, may be estimated at about 15,500,000*l.*; exceeding the above sum necessary to be raised for the service of the year by about 2,000,000*l.* only.

"That to provide for the exigencies of the public service, to make such progressive reduction of the national debt as may adequately support public credit, and to afford to the country a prospect of future relief from a part of its present burthens, it is absolutely necessary that there should be a clear surplus of the income of the country beyond the expenditure of not less than 5,000,000*l.*; and that with the view to the attainment of this most important object, it is expedient now to increase the income of the country by the imposition of taxes to the amount of three millions per annum."

Such was the general view presented by the state of our finances, and the measures proposed for the maintenance of the public credit. The whole substance of the resolutions was, that in order to have a clear sinking fund of 5,000,000*l.*, it was necessary to raise 3,000,000*l.* more than the present income. This necessity arose out of the repeal of the property tax and other war taxes in 1816. He was far from arraigning the decision of parliament on that subject, although it was contrary to the opinion of the government, the grounds of which it was unnecessary now to discuss.—He had, however, sincerely hoped, that the repeal of this tax would have afforded to the country the fullest relief possible, but he had been of opinion (and he thought the event had confirmed it) that the country was, in the first instance, to look for relief from the renovation of public industry, and the restoration of public credit.—To effect these important objects it was indispensably necessary to provide for a gradual reduction of the national debt, and it was therefore impossible to state that the revenue of the country was placed on a proper footing, until it afforded a considerable surplus beyond the expenditure. His present object, was, to place the revenue on the footing on which it would have stood had the proposed continuance of the property tax on a modified plan for two years longer been carried into effect by parliament in 1816. Had that been done, the imposition of new taxes would not now be necessary. The consequence of the adoption of the proposition which he made at that period would have been, that the country would have been spared 18 millions of debt, and would have avoided the difficulties that now presented themselves in repaying the ten millions to the Bank proposed by the secret committee of the two Houses of parliament; as under that arrangement this new debt would never have arisen. The measures of finance which had been resorted to by government in the interval between that period and the present, were, in his opinion, the best that could be adopted. They were indeed to be considered only as temporary expedients, but they had brought the country to its present situation without any diminution of credit, without any imputation on character, and without any tax on the necessaries of life. When the property tax was repealed a considerable arrear of it had not been recovered. The sums of that description afterwards received had materially contributed to lessen the public inconvenience which must otherwise have been felt.—The Bank, knowing the necessity of preparing for cash payments, certainly began to reduce their issues; but it was evident that cash payments could not be at once resumed; for the treasury of the Bank had been exhausted during the war, and time was therefore given to the Bank to make the necessary preparation. This gave government a facility in obtaining loans from the Bank, which was considered as affording the most convenient and the most economical means of providing the sum which was required to make up the supplies. The state of the country at the time made such a measure the most advantageous that could be adopted; for it was then labouring under a want of circulation. In such a state of things the loan from the Bank contributed to revive public confidence, and afforded the means of considerable relief to the mercantile interest. So strongly was the necessity of the latter felt by parliament that a million and a half of exchequer bills were issued under its authority for the relief of that part of the community.

Thus it appeared that the measures resorted to by his majesty's government under the circumstances of the country at that time were not only such as parliament had approved, but the most advisable in every point of view, whether as regarding immediate convenience or the effect upon the general financial system of the country. But every plan of temporary expedient must come to an end. The time had arrived when parliament was called upon to adopt a more permanent and systematic arrangement, and to ascertain the real amount of income necessary for the expenditure of the country. It was stated in his fifth resolution, that the sinking fund exceeded the sum necessary to be raised for the service of the present year by about two millions only. That statement was taken from the first report of the finance committee of the present year. But the finance committee had made reports before the revenue had become greater than the expenditure; and those reports extended until the present period when the surplus was 2,000,000*l.* The whole history of this progress was to be found in the fourth and eleventh reports of the finance committee of the last and antecedent session, and in the first report which had been presented in this. By those reports it appeared, that in the first year of peace a very considerable deficiency existed in the revenue as compared with the expenditure. The expenditure for the year ending the 5th January 1817, was 54,200,000*l.*, while the income amounted only to 51,300,000*l.*; leaving a deficiency of 2,900,000*l.* That deficiency was made good in the course of the same year, chiefly by the payment of an arrear of the property and war taxes, and partly by a portion of the unexpended sum of the preceding year. The next year, namely, that ending the 5th January 1818, the improving prosperity of the country was evinced by an augmentation of the revenue, the expenditure being 52,956,000*l.*, and the revenue 52,302,000*l.*; leaving a deficiency of only 654,000*l.* In the next year, it appeared, that the deficiency was changed into a surplus; for, in the year ending the 5th January 1819, the income was 54,053,937*l.*, while the expenditure was only 52,370,152*l.*; exhibiting a surplus of 1,683,785*l.* Still more favourably according to the report of the finance committee might the estimates for the current year be stated; namely, the income at 54,000,000*l.*, the expenditure at 52,018,800*l.*; affording a surplus of 1,981,200*l.*

The question for the committee now to consider therefore, was, whether, with so small a surplus, parliament could perform its duty to the public creditor by holding out any prospect of an actual redemption of the public debt? It was evident, not only that with so small a surplus as two millions that could not be effected, but, that if any sudden and pressing call for exertion, in order to maintain the stability and dignity of the country, should arise, we must necessarily be placed in a situation of considerable difficulty and embarrassment; the improvement of the income in order that it might produce a greater surplus must therefore be reckoned among those measures which were of the strictest necessity. The first consideration however was—what was due to the public creditor on the subject. He knew no duty more solemnly and imperiously called for. In 1793, on the proposition of Mr. Pitt, when that series of loans was commenced which now formed the greater part of the national debt, it was arranged that a sinking fund of one per cent should be provided for the gradual reduction of every loan contracted for by government. It was impossible that, at the period to which he alluded, Mr. Pitt could have had in his contemplation the great drain that that would occasion on the country, in consequence of the number and extent of the loans subsequently raised. At the same time, no obligation could be more sacred than our obligation to provide for the payment of the debt, contracted as it had been for the preservation of the country, and under the sanction of the national faith. The present surplus income of 2,000,000*l.* was certainly insufficient for the reduction of the debt. His plan therefore, was, to raise that sum to 5,000,000*l.* In his opinion, a real and effective sinking fund to that amount was necessary, and would be sufficient to improve public credit in a way that would discharge the obligation due to the public creditor. The nominal sinking fund at present existing would of course be reduced 13,000,000*l.*: it being proposed to apply that sum to the service of the present year instead of raising a loan to its amount. Whether that should be done in the way authorised by Mr. Fox's bill, or by any other means would be a subject for subsequent consideration. The country had as yet had no means of ascertaining what would be the operation of a really effective surplus of five millions. If the effect of the one million as proposed by

Mr. Pitt had been proved by experience to be so advantageous, that of five millions when in actual operation must be considerably more so. Still, he thought it would be highly desirable, whenever the circumstances of the country would permit it—and he looked forward to the attainment of the object in a few years—to give an additional security to the public creditor, by carrying up the sinking fund from 5 to 8 millions, which would make it somewhat more than one per cent on the whole of the actual debt. The benefits of such a sinking fund would be strongly felt in various ways;—by the accumulation of compound interest, by the opportunity which the increased value of funded property would give of reducing some of the funds. He did not think he was very sanguine in expecting that great improvement would also take place in the revenue. But whenever a clear surplus of 8,000,000*l.* became applicable as a sinking fund, the public might fairly look forward to an effectual reduction of the burthens of the country, great national improvements might be undertaken with spirit and vigour, and property might be improved in a degree affecting the interests of every branch of the community. He left it therefore to the House to judge whether the public ought not to be satisfied with an arrangement which thus laid a foundation for general benefit.

He now came, therefore, to the last of his resolutions; namely, that with a view to the attainment of the important object which he had just described it was expedient to increase the income of the country by the imposition of taxes to the amount of 3,000,000*l.* per annum. Although he should defer any minute statement on this subject until next Wednesday, in the Committee of Ways and Means, he would sketch the general outline of the plan which he intended to propose. He was very ready to admit, that there might be hon. gentlemen, who, approving of that general outline, might nevertheless be disposed to question the expediency of some of the details, when those details came to be submitted to their consideration. To that he could have no possible objection. All that he thought essential on the present occasion was, that parliament should take such a view of the subject at large as to evince their determination to make a great effort in order to place the finances of the country on a stable foundation. Whether that should be done by one tax or by another appeared to him to be a matter of comparative unimportance; although he allowed that care should be taken to select such imposts as might be least injurious to the country. The course which, in his mind, parliament ought to take was, first to show a determination to make a great effort by agreeing to the Resolution, that it was expedient to add three millions to the income of the country by taxation; and then to inquire in what manner the burthen could be imposed so as to be attended with the least possible inconvenience to the various classes of the community. He would now, however, enumerate the articles on which it was his intention to propose, in the Committee of Ways and Means, that the contemplated addition to the revenue should be raised. —The Committee was already aware that there had been at various times a consolidation of the customs, and that a measure of that kind had been in contemplation last year, but had been postponed for the purpose of a more mature consideration of its details. It was also his intention to propose a slight alteration in the duties on various articles; but the only one to which he felt it necessary particularly to call the attention of the House was, foreign wool. The duty on foreign wool was at present only a penny a pound, which was thought too low to protect the interest of the home grower of coarse wool. He proposed that the duty should be increased to sixpence a pound; which would operate as a protection to the home grower of that article against foreign competition. By that increase of duty he calculated that an increase of revenue would be effected of 250,000*l.* or 300,000*l.*: which, added to other slight additions to the duties on various articles, might be expected to produce under the head of Customs, about 500,000*l.* All the other articles on which it was his intention to propose an increase of duty came under the head of Excise. Of these the most prominent was malt. It was not at all his intention to propose the renewal of the whole of the war duty on malt; although he might be allowed to observe, by the way, that the reasons which had been so strongly urged by the gentlemen on the other side in favour of the repeal of the war duty on malt, had proved wholly without foundation. The first of those reasons was, that agriculture would be benefited; the second, that the revenue would be more easily collected, and would perhaps be increased in consequence of the greater consumption; the third, that the price of beer to the working classes would be diminished. He was sorry to say that no material advantage had been derived by the agricultural interest from the repeal, nor had the consumption of malt been increased by it. The accounts on the table would show that in the last year of the existence of the war duty on malt, the amount of malt on which duty had been paid was 26,200,000 bushels. In the succeeding year it fell to 17,000,000 bushels; a circumstance which he was aware was, in a great measure, attributable to the badness of the season. But in the last year the amount rose only to 22,000,000 bushels: being a smaller quantity than when the war duty was in existence. Instead, therefore, of any improvement in the revenue having taken place from the repeal of the duty, the revenue had materially suffered. Nor was the third reason assigned for the repeal of the duty—namely, that it would give the poor the advantage of having their beer at a more moderate rate—proved by experience to be better founded than the others. The price of beer certainly experienced a trifling fall for a short time after the repeal of the duty; but it immediately rose again, and at the present moment it was as high as at the highest periods both of the duty and of the materials. He thought he should be able to prove that the additional duty which he meant to propose, namely, half the existing duty, or one shilling and twopence a bushel, making the whole duty three shillings and sixpence a bushel, would not only not justify the brewers in raising the price of beer, but that, notwithstanding its operation, they might still be enabled to lower the price to the public [a laugh.] He requested that those hon. gentlemen who appeared to be entertained with this declaration would turn their attention to the Report made last year by the committee on the subject of the Price and Quality of Beer; a Report which contained a great deal of very valuable information. They would there see the evidence given by a gentleman of the highest respectability, and whose means of knowledge were necessarily extensive, (he meant Mr. Barclay) with respect to the comparative price of malt and hops at various periods. According to the statement of that gentleman, malt was last year 81*s.* a quarter, and hops from 24*l.* to 25*l.* a cwt. The present price of malt was at the highest 63*s.* a quarter, and of hops 8*l.* 10*s.* a cwt. Mr. Barclay stated to the committee last May, that the aggregate amount of the expense of the brewer in materials and manufacture was at that period 9*l.* 16*s.* 8*d.* the quarter of malt. At the present moment, the expense according to the reduced rate of the materials could be only 6*l.* 17*s.* 4*d.* the quarter. The difference was, therefore, 2*l.* 19*s.* 4*d.*; of which he proposed that only 9*s* 4*d.* should be taken by the additional duty for the public service, still therefore leaving to the brewer a profit of 2*l.* 10*s.* on the quarter of malt, greater than that which he made last year. The produce of this additional duty he estimated at 1,400,000*l.*

The remaining articles on which he intended to propose an increase of duty were also under the head of the Excise; although they were principally articles on which a double duty was at present collected in the shape of customs as well as excise. By the double collection of duty, a great addition was made to the expense of management. Government was desirous, therefore, to try the experiment, how far it would be better to collect the duties in question, under one instead of under two branches of the revenue, as it would be a great relief to the merchant to be exempted from the trouble and charge arising out of the double accounts and payments now required. The articles which he was about to mention were subject to considerable adulteration, and various frauds respecting them were practised to a great extent. Now, it was well known, that that branch of the revenue, the Customs, had no means of detecting adulteration or other frauds, after the articles subject to such impositions were given out of the king's warehouses. The Excise, on the contrary, possessed the means of detecting those mal-practices, and had in fact brought to justice many of the perpetrators of them. It was therefore desirable that the articles on which he intended to propose these additional duties should be placed under the branch of the excise rather than under that of the customs. They were—tobacco, coffee and cocoa, tea, British spirits, and pepper. The additional duty which it was his intention to propose on tobacco, he estimated would produce 500,000*l.*; and he was persuaded that even under that additional duty, tobacco might be furnished to the public at a much cheaper rate than it was some time ago—he meant, than it was before the close of the American war. By the proposed duty on coffee and cocoa, he hoped to raise 130,000*l.*; by that on pepper 30,000*l.* With respect to tea, he proposed an increase of 4 per cent. The present duty was 96 per cent, and he intended to raise it to a round 100. This he estimated would produce 130,000*l.* He hoped and believed that while these advances would make little or no perceptible increase of price to the consumer, the new arrangements which it was intended to introduce would enable government to follow up the measures for the prevention of smuggling and fraud with such vigilance and effect, as would not only secure the legitimate produce of the revenue, but materially augment its amount.—Only one other article remained—an article, the existing duty on which might be said to be as fairly collected as any in the country; it being in few hands, and those, persons of high character and responsibility—he meant British spirits. He thought that he might fairly estimate the produce of the additional duty which it was his intention to propose, on spirits distilled in Great Britain at 500,000*l.* The total aggregate of the proposed increase on the various articles which he had named, was, 3,190,000*l.*; and, allowing for accidental deficiencies and other circumstances, he flattered himself he might fairly calculate on a clear increase to the revenue of 3,000,000*l.* He would not enlarge on this part of the subject at the present moment, leaving the details until the House should go into a committee of ways and means, and would only therefore recapitulate the various items which he had mentioned; viz.

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|---|---|
| Consolidation of the Customs, including the 200,000*l.* of increased duty on foreign wool | 500,000 |
| Malt | 1,400,000 |
| British Spirits | 500,000 |
| Tobacco | 500,000 |
| Coffee and Cocoa | 130,000 |
| Tea | 130,000 |
| Pepper | 30,000 |
| Making in the whole... | £.3,190,000 |

Such was the general outline of the propositions which it was his intention to make to the committee of ways and means on Wednesday next. For the present, he would content himself with pressing the attention of the committee to the indispensable necessity of making a provision, either in the way he recommended, or in some other way, for effecting such an augmentation of the revenue as might acquit public honour by placing public credit on a solid and permanent basis. From the official situation which he filled, it had been his lot during the last three years to submit to parliament expedients, temporary in their nature, for the purpose of meeting the current expenditure of those years. The time had at length arrived, when, having minutely examined into all our sources of income—having severely investigated the nature of our expenditure so as to discover what could be retrenched consistently with public security—having come to a determination to restore our metallic currency, and made preparations for the certain attainment of that desirable object—it became parliament to take such measures as might place our finance on a permanent peace establishment. On every ground it was called upon to do this. In the first place, in consequence of the extensive investigations into our expenditure and resources to which he had just adverted, all the weak as well as all the strong points of the condition of the empire were known, abroad as well as at home. By the return of the army of observation from France, and the great reduction which had been made in our military force, we had arrived to that which might fairly be considered the permanent peace establishment of the country. It was not likely that any farther material reduction on that head could be accomplished. On the contrary, it was probable, that some farther expense would occasionally creep into that department of the public service. For instance, it would not be advisable to allow the militia to remain long without being placed in a state of efficiency. That, and some other minor branches of military expense, must be considered inevitable. On the other hand, a gradual diminution of outgoings would unquestionably be occasioned by the falling in from time to time of pensions and other annual allowances ceasing with the lives of the present holders, as well as of various material parts of the national expenditure; but the operation of those events would be so gradual and slow, that it was difficult to calculate the probable period at which, unaided, they would put the country in possession of a surplus revenue of five millions—the least surplus which, in his opinion, it ought to possess with reference to the objects which he had already described. By the addition of three millions of taxes that purpose would be at once accomplished. It was true that the loan of the present year would increase the amount of the debt in a greater degree than it would be diminished by the sinking fund, but then it should be considered that ten millions and a half of that loan would be employed—five millions in a repayment to the Bank, and five millions and a half in the liquidation of the unfunded debt by the payment of exchequer bills;—so that it would be only for the interest of the balance that it would be necessary to make provision. Although it was not to be expected that the new taxes, if adopted by parliament, would be in full operation and production during the present year, neither would all the charges and expenses of the loan fall within that period. He therefore trusted that a considerable diminution of the debt might take place next year, and that in every succeeding year that diminution would increase in amount. It might be supposed, indeed, by some, that a great defalcation would take place in the revenue in consequence of the stagnation of manufactures and trade which had occurred in some parts of the country. He was happy to say, however, that hitherto no such effect was to any great degree observable; and he hoped that the symptoms of reviving commerce which had recently manifested themselves, would put an end to all apprehensions on that score. The revenue of the quarter ending on the 5th of April last, was 230,000*l.* greater in amount than that of the corresponding quarter of the last year. Since that period, a diminution had certainly taken place, but it was by no means of an alarming nature. The total amount of the revenue for the quarter ending on the 4th of June was short of the corresponding quarter of last year by 107,000*l.*; being about two per cent on the whole amount of the quarter's revenue, or five millions. He had, however, one remark to make, which would account for a portion of this deficiency; namely, that the corresponding quarter of the last year comprehended one weekly payment of the excise more than the quarter of the present year. Some of the branches of the revenue had increased, although others had suffered a diminution. The excise had fallen off about 218,000*l.*; but in the customs there had been an augmentation of 84,000*l.*; in the incidental payments, of 14,000*l.*; and in the post-office, of 43,000*l.*; in the stamps there was a diminution of 33,000*l.* Thus there was a total diminution in some branches of the revenue of 248,000*l.*; to counteract which, however, there was a total augmentation in other branches of 141,000*l.*; leaving, as he had already stated, an actual diminution of 107,000*l.* from the 5th of April to the 4th of the present month. Upon a comparison with the same period in the preceding year, he did not think that the finance committee had been at all too sanguine in expressing their hope, that the revenue of the present year would be nearly equal to that of the last. At the same time, he should perhaps not be justified in expecting any material increase in the produce of the revenue, more especially when the means necessary to be adopted in the way of preparation for the resumption of cash payments by the Bank of England were taken into consideration. He was inclined, however, to think that the alarm which had already been excited on that subject was greater than the circumstances warranted; that no such reduction or stagnation of commerce would take place as that apprehended by some; and that in the end the alarm to which he had alluded would appear to have been much exaggerated, if not altogether unfounded.

Having said thus much upon the situation of the country with respect to its resources, and stated the general nature of the measures proposed by his majesty's ministers for placing the revenue on a stable footing, he might sit down with merely explaining his readiness to afford any explanation that might be required. But, before he did so, he must observe, that his majesty's government were fully sensible of the great responsibility which they incurred in thus proposing an increase of taxation, and of the serious obligation which, if possible, it more than ever imposed on them of managing the resources of the country with the most rigid economy that was consistent with the necessities of the public service. If, therefore, the resolutions already under the consideration of the committee should be adopted, he was prepared to propose a farther resolution, calling on the executive government to exercise the most rigid economy in the administration of the public revenue. He trusted, indeed, that whatever might be the sentiments of the hon. gentlemen opposite, the great majority of that House were of opinion, that the events and measures of the present session had sufficiently evinced the disposition of government on that subject.—There was one topic, connected with public economy, deserving of explanation, on which he would say only a few words—he meant the collection of the revenue. At the present advanced period of the session, no effectual measure could be adopted by parliament to amend the system of that collection; and it appeared to him, therefore, that the best course that could be pursued was, an expression of the opinion of parliament, that at least such an investigation should be entered into by the executive government as would pave the way for any measure which parliament in its wisdom might think fit at some subsequent period to adopt. The resolution, therefore, which, in the event of the adoption by the committee of the resolutions already on the table, he should propose in addition, was as follows:—" That with a view of accelerating the arrival of that period at which relief may be afforded to the country from a part of its burthens, this House confidently expects that a continued and vigilant superintendence ought to be exercised over the expenditure of the state in all its several departments; and that a minute investigation shall be instituted into the mode and expense of management and collection in the several branches of the revenue; in order that every reduction may be made therein which can be effected without detriment to the public interests." The committee were aware that an investigation of the nature alluded to in the resolution which he had just read had been instituted in the customs, and had been found productive of many most advantageous arrangements; and he hoped that the adoption of some such measure with regard to the other branches of the revenue (as far as it was found necessary and expedient), might be attended with equally beneficial results. He would now conclude by moving his first resolution; namely,

" That since the termination of the war in 1815, the property tax in Great Britain, and other taxes in Great Britain and Ireland, which yielded a revenue of upwards of 18,000,000*l.* per annum, have expired, or been repealed, or reduced."

Mr. *Tierney* observed, that the right hon. gentleman could not have devised a better mode of throwing ridicule over the government than that which he had adopted. Of all the extraordinary propositions that he had ever heard proceeding from any administration, it appeared to him to be the most extraordinary to desire the House to instruct them in their duty. It showed the want of confidence which they themselves entertained in their own disposition. The right hon. gentleman called on the House to require his majesty's ministers to be economical in their management of the public resources, and promised that he would obey the requisition. It was not his intention to follow the right hon. gentleman through all his details. The fact was, that he should find it difficult to do so. He really could not conceive, nor even guess, what bearing the two first resolutions, namely, that the property tax had been repealed, and that the revenues of Great Britain and Ireland had been consolidated, had upon the business before the committee. He dared to say that it was his dulness, but he really could not follow the right hon. gentleman through all his statements. He did not object to the particular taxes proposed by the right hon. gentleman. His objection was to the abstract proposition, that it was expedient at the present period to lay an additional burthen of three millions on the people. He begged leave, however, to guard himself from denying, that at some future period (although he trusted a distant one) it might be expedient to increase the taxation. His objection was to the particular time and manner adopted. The early resolutions stated a simple matter of fact, on which there was no dispute. Those being disposed of, he came to the plans recommended by the right hon. gentleman. He had to thank ministers for having at length distinctly stated the actual situation of the country. It was that to which they had frequently been urged; but which they had never before condescended to do. The right hon. gentleman had now at last abolished the sinking fund, and told us that we were to start again with a fresh one. The operations of the right hon. gentleman would reduce it to two millions—that was now the whole amount of the sinking fund. Such was the real situation of the country, after all the accounts of its flourishing state, with which their ears had been incessantly stunned during the last three years!—after all the accounts of the prosperity of our trade and commerce, and of the great increase of our exports and imports! Such was the result of the advantages of Mr. Pitt's system, which ministers boasted they had never departed from! Ministers had at length brought the country to a state, which to every man must be galling and melancholy in the extreme. We were called on, in the face of the country, to declare that we were driven at length to be guilty of a breach of faith to the public creditor. He said, guilty of a breach of faith—for the public creditor had a right to look to the sinking fund as a security. But the right hon. gentleman had indeed told them, that the public creditor had no right to look to any thing but what was promised him by the original system of Mr. Pitt. But he begged the right hon. gentleman's pardon—the public creditor had the promise of Mr. Pitt in 1806, that the whole of the sinking fund should always remain secured to him; he had also the promise of lord Sidmouth in 1802. But he begged to refer the right hon. gentleman more particularly to the statement of the chancellor of the exchequer in 1813, when he took 5½ millions from the sinking fund, and proposed a new arrangement, which he assured the country would be from that day found of incalculable benefit to the sinking fund. The right hon. gentleman had then assured the House, that if his plan were only allowed to operate for ten years, it would effect so great a reduction of the public debt, that the fall of interest in consequence of that reduction would be so very rapid, that God onlyknew what would happen to this devoted country, so rapid would be the fall of the interest of money. The only danger which we had to apprehend would arise from too rapid an accumulation of the sinking fund. The sinking fund, which would have amounted to 21 millions, was then stopped by the plan of the right hon. gentleman, and 5,600,000*l.* taken from it, for the purpose of relieving the country from the pressure of taxes to that amount. But the right hon. gentleman, when he made this inroad into the sinking fund, assured the stockholders, that if they would have but patience to wait till the period fixed on by him, such would be the advantages which they would derive from the sinking fund, that they would be quite astonished at them. Well, they had given up what was demanded of them, for the sake of the advantages promised by the right hon. gentleman, and now the right hon. gentleman turned round on them and said, "there is an end of the whole transaction: we must now revert to a new order of things—the real sinking fund amounts to no more than 2 millions; but by applying to parliament for taxes to the amount of 3 millions, we shall make it 5 millions." But by this plan the stockholder was held up to public odium as the cause of new burthens being cast on the country [Hear, hear!]. It was stated to be necessary to have an available sinking fund of five millions; that there was but two millions of surplus revenue, and therefore it was necessary to have additional taxes to the amount of three millions. Thus it was made to appear that these three millions were necessary to support the stockholder. But on this subject he had first of all to observe, that when they took 13½ millions from the sinking fund, after the inroad of upwards of five millions which they had formerly made into it, it was vain to say that any faith was kept with the stockholder. The right hon. gentleman would not pretend to say that on the first difficulty which occurred he would not take the whole of it. The chancellor of the exchequer had told them, that he wished to have the sinking fund on such a footing, that in 45 years it might pay off the whole amount of the public debt. It would now be five millions, and he calculated on raising it to eight millions. But he could not pretend to redeem it in forty-five years, except a number of things were to concur to enable him to make the sinking fund amount to eight millions. But let it be considered, that we had already passed five years of peace; and, calculating from what had hitherto occurred in the history of Europe, what probability was there, that peace could be supposed to last fifty years? It was certainly bad enough that the right hon. gentleman should tax them, but it was worse that he should laugh at them. He was now laughing at the whole country; for what could be a greater piece of mockery, than to tell the country that a debt of 800 millions could, by a sinking fund of five millions, be redeemed in any probable period of peace? He wished the right hon. gentleman not to misunderstand him when he spoke of a breach of faith with the public creditor. He never meant to insist on the literal performance of the act of parliament under every combination of circumstances. Indeed he was satisfied that such was now the melancholy state of the country, that they must depart from the line which Mr. Pitt had chalked out, and which lord Sidmouth and the right hon. gentleman wished to adhere to. Their first duty was that to the country at large. He wished if possible to keep faith with those who had lent their money to the state; but after all, they had a paramount duty to the country. He was ready to admit that a very large proportion, and nearly the whole of the sinking fund, might be given up to the exigencies of the country. But then it was too much to hear the necessity for this inroad on the security of the public creditor avowed by the right hon. gentleman without the least sense of shame, after all the boasting and exaggeration in which he had incessantly indulged; to hear him, after having brought the country to such a state, still vapouring and prancing in his old way, and with the same air of assurance and confidence as usual, asking only for 3 millions, and that would infallibly set us all right again [Hear, hear!]. What, it might be asked, have you done with your hundreds of millions? Where was the indemnity for the past and the security for the future? Was it, after all this boasting, come to this, that three millions of new taxes must be imposed, to have a sinking fund? This was the state to which we were brought. Still, however, the right hon. gentleman, with the utmost confidence, told them, they had only to let him have a sinking fund of 8 millions, and they would enjoy all possible prosperity hereafter. For his part, he thought it a great hardship, that the stockholder should be held out to the public as the cause of this increase of taxation. People were already but too apt to hold up the stockholder in an invidious light. It was impossible for them to shut their ears to the observations which were every day made on this subject. He had heard it said,—the stockholders derive already too many advantages—the value of money being increased, and their receipts remaining nominally the same, their income will be improved by so much per cent; and what right have they to any such addition? forgetting all that the stockholder had hitherto suffered from the depreciation of the currency. The stockholders were now laughed at, as well as injured, by the right hon. gentleman.—He did not now mean to say, that it might not be necessary to impose additional taxes to increase the amount of the sinking fund to 5 millions, or that it might not be necessary to do still more than this—but before he declared that these 5 millions were necessary for the purposes which had been stated by the right hon. gentleman, he must be satisfied that the necessity actually did exist, and he should therefore content himself with moving at present the previous question, that the House might not be taken by surprise. With respect to the last proposition of the right hon. gentleman, that with a view to the attainment of this important object, it is expedient now to increase the income of the country by the imposition of taxes to the amount of 3,000,000*l.* per annum.—On behalf of the country he protested against this imposition of new taxes to the amount of three millions. He knew no state a country could be in which would justify the non-imposition of additional taxes, if this country was not now in such a state. If there could be any one proposition more objectionable than another, it was that of the right hon. gentleman. Without knowing any thing of the circumstances which rendered this sacrifice necessary, they were called on to lay on three millions of additional taxes, at the mere suggestion of the right hon. gentleman. The right hon. gentleman had dwelt on the advantages which would be derived from the restoration of the currency to the Mint standard. But like all new converts, he went with his doctrines to extremes. There might be inconveniencies attendant on the change, but he thought those inconveniencies were counterbalanced by such advantages, that it would be better to encounter the inconveniencies for the sake of the advantages. But the right hon. gentleman had forgotten that the very alteration in the value of money resulting from this restoration would be in itself a tax. Ministers might be right in endeavouring to restore the value of the currency, and he concurred in thanking them that they did persist in this endeavour, from the bottom of his heart; but he could not conceal from himself that the remedy was one which would be attended with pain, and would have the effect of disqualifying persons from paying the old taxes, to the extent in which it amounted to a new tax. Let them look to the situation of the country. The right hon. gentleman had said there was a general stagnation of trade. There was, indeed, in every branch of trade and industry, a greater stagnation than was ever before known—there was nothing but distress in every class of our manufacturers—the table was loaded with petitions from the agriculturists—with petitions from every quarter complaining of the insupportable burthen of the poor-rates. And what was the return they were about to make to these petitions? In about twenty-four hours after receiving these petitions, they were to answer by an imposition of three millions of fresh taxes! Could they soberly believe that this would not be attended with the most alarming effects on discontented persons in this country, if they allowed there were discontented persons? When petitioners came before them affirming that at present, from the effect of taxation, with every exertion they could not possibly subsist themselves and families, were they to be told—"the only sound remedy is, to tax you still more; we grieve only that you have not been hitherto taxed enough; in relieving you from 18 millions of taxes we acted wrong; but we will retrieve our error as soon as possible, and by way of a beginning, we will now impose on you the sixth part of the taxes from which we relieved you [Hear, hear!]?" Why, this was nothing more nor less than an insult on the whole country. He did not mean to say, that ministers might not be right in endeavouring to place the finances of the country on a permanent footing. But this ought not to be done at a time when it would derange the peace and tranquillity of the country. These things might be glossed over in the House, but they might depend on it, they would not be so out of doors. After the accounts of the flourishing state of the country, which they had so frequently heard from the noble lord opposite, and the right hon. gentleman, and which they had even put into the Prince Regent's mouth at the opening of the session, how would they now view an imposition of 3 millions of new taxes for the purpose of increasing the sinking fund? Speaking as a stockholder, he affirmed, that he would rather content himself with the surplus of 2 millions without new taxes, than have 5 millions as a sinking fund on those terms. He was speaking merely as an individual; but he believed, that the stockholders generally would consider this two millions better than any addition which would be productive of such odium. For, after all, whether there was a sinking fund of 2 millions, or even 5 millions, was a matter of little difference to them, considering the height from which they had fallen. He did not see, under the present circumstances, it was possible to retain the sinking fund; and he found no fault with the right hon. gentleman on this account merely—he lamented the necessity for a breach of faith; but this might be forced on them by their paramount duty to take care of the public safety. But, before consenting to new taxes, it was necessary to convince the country, that they were absolutely required for this paramount object of the public safety, and that every thing had previously been done in the way of economy and retrenchment. And here he was disposed to place first what the right hon. gentleman had put last—he meant reform and retrenchment. He maintained that they had no right to impose a single additional tax till they showed that they had reduced every establishment from the highest to the lowest, to the very utmost that was compatible with the public safety. It would be objected to him perhaps, that no retrenchment to any considerable amount was practicable; but he was thoroughly convinced, that retrenchments compatible with the public safety, might be effected to the amount of one million per annum. The right hon. gentleman had himself allowed, that something might be effected by a different mode of collecting the revenue; but he was sorry to say that he did not much trust in his discoveries. The noble lord, too, when he moved for the appointment of the committee of finance, had said that this should be the last year of its sitting. This had not much the appearance of economy, especially when it was recollected how that committee had discharged its duties. Had that committee examined into the nature of any public offices, except those connected with the army and ordnance? Had it ever attempted to probe matters to the very bottom, as had been done in that committee over which their late speaker, lord Colchester, and another hon. gentleman in his eye (Mr. Bankes), had so ably presided? No, nothing like it: every thing that came from that committee, came in a round about way, from the ministers themselves; just as if it were an offence for any body but themselves to say that ministers were to be trusted in matters of economy. All the great reductions which had been made had literally been forced upon them. The transition from war to peace had indeed obtained for us a less numerous army, and a less navy (and if ministers had not made a reduction in both, they could not have walked the streets in quiet); but in the expenses of the establishments necessary for their regulation, no reduction whatever had been voluntarily made. When the army estimates were before the House, he had said that it would be impossible for him to point out each item that was improper, or to say what might be saved here and what there; but still he maintained that a large reduction ought, and with proper attention might be easily effected. It was for the principle of economy that he combatted, and against that principle ministers as vehemently contended. His friends had tried them upon the question of the two lords of the admiralty. These lords had only 1,000*l.* a piece, so that the saving which they had proposed only amounted to 2,000*l.* per annum; this, it was said, was scarce worth talking about: he allowed it; but maintained that the principle on which the reduction was founded was invaluable. Good speeches might be made in defence of these two lords by those who had even less ability than those who usually defended them; but it was not a good speech that would satisfy the country on such a subject—nothing would do except economy. The right hon. member then adverted to the magnitude of our military establishments, which, if they were not reduced speedily, would end in our total ruin. Much had been said of the imposing attitude which we preserved towards Europe: he wished to know which of these two attitudes was the most imposing—to keep up a large army whose expenses we could not pay, or a small army whose expenses we could pay, and whose numbers we could increase whenever we had occasion for them. But then, it was hard, very hard, to part with a little patronage. Yet before they taxed the meanest beggar in the country, he had a right to say to them, "Show me that you have avoided all unnecessary expenditure." But this his majesty's ministers could not show, because they had been guilty of the most profuse extravagance. They had maintained an army which was too large both for the safety of the country and of the constitution, and had then made it an argument for increasing our ordnance establishments, because a large army always required a large ordnance. To compensate, however, for this increase, they had made great reductions in the navy; greater reductions, indeed, never had been made in it than were made at present, and the reason of it was this—our navy officers could not bow or scrape as well as the officers of our army, nor play off with equal agility the tricks and artifices of skilful courtiers. And yet, as our navy could stand our guard when our army could not, the reduction ought not to have been so disproportionate in the two services. Low as it had been made in the one, it ought to be made still lower in the other; and if the noble lord's assertion be true, that we are likely to continue at peace with all the world, let him show us his belief of it by another reduction in our military establishments. The army, however, was not the only department of our expenditure in which great savings might be accomplished. The expenses of many of our colonies might be diminished; a consolidation of offices under the revenue might take place, and the office of a third secretary of state might be entirely abolished. Indeed, he saw no more reason for a third secretary of state than he did for a third archbishop. The necessity of a board of control might also be taken into consideration. Indeed, the affairs of Ceylon and the Mauritius rather belonged to the office of a noble lord than to the office in which they were at present transacted. Might it not also be advisable to look at the Horse-guards, and to consider the necessity of having a secretary-at-war in time of profound peace? It might be uncomfortable for hon. gentlemen to hear of such reductions, but it was scarcely less uncomfortable for him to come forward and advocate the necessity of making them. He had much rather live at ease in the country, and see gentlemen at the head of large establishments, indulging the hospitality of their tempers in feasting and revelry, than propose such retrenchments as he now felt it his duty to propose; he had as good a turn for the luxuries of this world as any member on the opposite benches; but still as they had now been vapouring and prancing for many years, and as the bill was brought in, it was fit that they should pay it, and "pay it you shall," said the right hon. member, addressing them, "if ought I can say has any weight or influence in this House." "But then," say the supporters of the present system, "if these reductions are made, no administration can possibly stand." He maintained, that any administration which owed its continuance in power to such support as this extravagance supplied, ought not to stand for a single moment; and added, that no administration could be strong in public opinion except that which took care that every farthing of money exacted from the public was expended in real and not in nominal services. These observations were forced upon his mind by the actual state of the country, which was so melancholy that every sacrifice ought to be made by those in power previous to any application for new taxes. But it was now argued, that though the present measure was one of the strongest necessity, the country had such confidence in his majesty's present advisers as not to have any objection to acceding to it. He would allow that the division which had taken place on the motion submitted by himself to the House the other night on the state of the nation, was such as to show that the House had the most implicit confidence in the noble lord and right hon. gentleman opposite; he would allow that they were the best, the wisest, the most economical, and the most consistent ministers that could be found in the country [loud laughter]; yet still, allowing all the merit that was due to that overpowering majority, he must say that, if his motion had been carried, they would have been doing on the 18th of May what they were now proceeding to do on the 7th of June. The right hon. gentleman opposite says, "a great saving in the collection of the revenue can be effected; leave it to me, and be assured that I will accomplish it." With all due deference to the chancellor of the exchequer, he would not leave it to him; as soon as he did leave it to him, there would be a long farewell to all economy and retrenchment. But when the right hon. gentleman promised retrenchment, it was only right perhaps to ask, for what was all this retrenchment to be made? For the sinking fund? But if he had not been economical for the people of England, was it likely that he would become so for the sinking fund? The strongest excitement which he and his colleagues could have to economy, would be a reluctance on the part of the House in granting the supplies, if the exhibition of that reluctance could be made without occasioning a pressure on the people. For his own part, he was sure that if they had the money given them, the country would hear no more about their economy till they had occasion to apply for some again; for he was certain, that in their natures they abhorred economy, and that they never would practise it, unless it was forced upon them in future as it had been forced upon them in the past. Whenever and wherever they had resorted to it, they had resorted to it to stifle what they called the clamour and impatience of the populace; and had never made any reductions voluntarily, except those which were occasioned by the transition from war to peace. He again repeated his assertion, that by a careful attention to our expenditure, 1,000,000*l.* might be annually saved to the country. Our situation, though one of difficulty, ought to be looked fairly in the face; we might want taxes, but we ought to try every expedient before we resorted to new ones. There was the sinking fund—of which it would be better to take the whole, than to leave 2,000,000*l.*, and add 3,000,000*l.* in taxes. One thing extraordinary in the conduct of the ministry was, that they did not come forward with an acknowledgment of their errors. He had himself doubted of the necessity of the last war, when it was originally commenced; and now that the heat and passion which prevailed at its commencement had subsided, he still retained the same doubts; but whether that war was necessary or not, the profusion with which it had been carried on was quite unparalleled: he had no hesitation in saying that it might have been concluded at half the expense by which it was concluded. He therefore asked the ministry to confess the embarrassment by which they were surrounded. They had indeed said, that during the last three years something awkward had happened; but that was the severest term which they could be induced to apply to the distresses of the country. He again repeated, that great reductions must be made, if the government wished to render the taxes at all palatable; and concluded his speech by observing, that he should not say any thing at that time regarding the particular taxes which it was proposed to levy, as his objection was, to the levying of new taxes at all. He should therefore move the previous question on the two last resolutions.

Lord *Castlereagh* said, he would not trouble the House at any great length, because the real question was contained in a very narrow compass. There were three considerations upon which it rested; the first was, whether the country, under its present circumstances, was necessitated to make any financial efforts at all; the second was, the magnitude of those efforts; and the third, the time when those efforts ought to be made, if it should be judged necessary to make them at all. But before he entered upon these subjects, he must make a few observations on what he must style the preliminary remarks of the right hon. gentleman opposite. The burthen of the right hon. gentleman's song all the evening had been, "I have no confidence that the ministers of the Crown will dispose of the supplies in a proper manner, and I therefore call upon the Crown to dismiss them." This was all natural in the right hon. gentleman; he could not help feeling sore upon the division against him on a former evening, and angry at the members who had swelled the numbers against him. He could assure those gentlemen that they were already registered in the right hon. gentleman's black book, and that they could never purge themselves, in the right hon. gentleman's opinion, of the guilt which they had contracted by voting with ministers; no, not even by voting against them on the present occasion. The right hon. gentleman had said, that if they had voted with him on a former evening, they would have discussed on the 18th of May what they were now discussing on the 7th of June. With due deference to him, that was not correct: if he had succeeded in his motion of the other evening, the Crown must have looked out for other ministers; and, in that case, he was inclined to think that the right hon. gentleman, with all the dangerous responsibility which he had described as likely to attach to any person who now took up the reins of administration, and with all the ill-health, which no man could regret more sincerely than he did, that the right hon. gentleman was subject to, would not have been able to prove himself so efficient a minister as to enter so soon upon the duties of his office. The noble lord then maintained, that the present administration had proceeded with the utmost rapidity in making all the economical arrangements in their power, especially in the army, navy, and ordnance departments; and argued that it was not fair to accuse them of extravagance, because they had thought it requisite to retain the two lords of the admiralty, against whom such loud and violent declamation had been lately uttered. Indeed, these two lords of the admiralty were always used as a stalking-horse, wherewith to frighten ministers; whilst, on the other hand, the reduction of them was always the nostrum recommended by gentlemen opposite to remove the grievances of the country. The right hon. gentleman had also protested against the finance committee, and in every case where the committee had not been nominated by himself, had represented it as a grievance. When that committee was originally appointed, he (lord C.) had said, that the House would see whether the government were not willing to carry the principle of reform as far as was possible. He would merely refer to their conduct in regard to drawbacks and bounties in the collection of the revenue. In fact, in a future session, it would be the duty of the committee of finance to charge itself with the important subject of drawbacks and bounties. He was also disposed to complain a little of some of the other preliminary observations of the right hon. gentleman, and particularly of those which were intended to convey a false impression into the country. Surely this attempt was not only unworthy of the high station which the right hon. gentleman held in the House, and of his great knowledge upon subjects of this nature; but very nearly half of his address had been employed in insinuating alarm into the minds of the public creditor, that ministers were meditating a breach of faith; that the object of the proposition of the chancellor of the exchequer was, the destruction of the sinking fund, as established by Mr. Pitt, and afterwards modified by parliament. Yet nothing could be more unfounded than such a supposition. Nothing like an invasion of the sinking fund had been contemplated. The arrangement of to-night was perfectly consistent with its perfect existence; for the resolution was simply to put into operation the clause which Mr. Fox himself had introduced. Such, however, had been the right hon. gentleman's impetuosity of blame—such had been his determination to find fault at all events, and to harangue about economy—that he could scarcely allow the chancellor of the exchequer to open his plan before he rose to object to it. Yet, when truly viewed, it was in principle the very measure which an hon. gentleman (Mr. Grenfell) had brought forward on a previous night, but which he had not dared to press to a division; and which was then premature, because it was the wholesome practice of parliament not to pledge ministers upon any particular details, until the whole of their system had been duly digested. His lordship was persuaded that not a single observation had fallen from his right hon. friend, the chancellor of the exchequer, in the course of the session, that was inconsistent with the perfect operation of the Sinking Fund act, and of the clause that bore the name of the individual by whom it was proposed. At the same time, ministers did not mean to assert that the provisions of that act, at all times, and under all circumstances, could be literally executed; and here the right hon. gentleman had introduced what every stockholder knew as well as himself, that if it were to go to the extremity of accumulation, so far from being for the interest of the public creditor, it would be destructive of his property, and of the other property of the country in general. There would arrive a period when parliament must look at the interests of all parties, and perhaps put a stop to the accumulation of the sinking fund, for the national benefit and security. He therefore protested against the misrepresentations which the right hon. gentleman had attempted, and from which his own better knowledge ought to have repelled him.—The first question which the country ought to look at in a fearless and a manly way was, whether it ought to be satisfied with its financial situation in time of peace; or whether some effort ought not to be made to enable it to meet the burthens of a new war, should such calamity unfortunately visit it? This was a subject of immense magnitude—a subject independent of all parties, and of all party interests; and "I conjure you," (said his lordship) "not to suffer any feeling of respect for the government, if such exist, to divert you from the strict discharge of your duty. If you do not in your conscience believe that the existing government can be trusted—if you think them incompetent in talent, or in prudence, or in honesty, you owe it to your own character, to the best interests of the state, not to hesitate a moment in carrying that opinion to the foot of the throne, and to call for the dismissal of those individuals. I should hold that the government was indeed degraded; that it was indeed unworthy of the confidence of the Prince who has so long trusted it, of the people who have so long relied upon it, if, after the expression of such an opinion, it were base enough for a moment to continue in office: if the House refused ministers its support, if it denied them the means of conducting the affairs of the kingdom, they ought instantly to retire to make way for others, in whose favour the wishes and hopes of the country were united. I conjure gentlemen not to trifle or tamper with this mighty question; let them put government wholly out of their view, and let them decide upon the broad and substantial merits, not upon any consideration of who may or who may not be in power. The question is not between ministers and their antagonists, it is between parliament and the country—between the representatives and their constituents; and it would be disgraceful to the House if, at such a time as this, it could at all contemplate party interests and political motives. I say, and I say it with all humility, that as servants of the Crown we should be unworthy of our stations, if while parliament withheld the means, we still persisted in retaining the reins of government. We claim to be armed with weapons to meet the difficulties and dangers of the state, and if we are not to be intrusted with them, we are willing to resign to more favoured, perhaps more able, but not more zealous champions." [These passages were delivered with great animation, and were received with shouts of approbation]. His lordship went on to contend that a saving of 2,000,000*l*. annually was not sufficient to enable the country to meet with firmness the shock of a future war. The right hon. gentleman had taunted him with opinions he had expressed early in the session. He would not retract one iota of what he had then advanced, not because he was ashamed to do so if truth would warrant him, but because all he had asserted had been borne out by subsequent inquiry. He had asserted from 2,000,000*l*. to 2,500,000*l*. to be the surplus of the revenue, and the report of the finance committee corroborated the statement. He had maintained that the country was in a state of prosperity, and he was willing to rest the confirmation solely upon the evidence of the hon. member for Lancaster. He had also contended that there was a fair prospect

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of further improvement; and who had ventured to contradict him? He was not at all disposed to deny that retrenchments could be made in quarters not yet examined; but taking it on the right hon. gentleman's own showing, that a million could be gained, it was still clear that the measures now proposed were necessary for future safety. Yet the right hon. gentleman had contented himself, as usual, with broad and bold assertion, and had not condescended to fix upon a single item from which economy could be produced. His lordship insisted that the country ought not to be satisfied with its financial situation. It was a clear proposition of state policy, that no country could be considered safe, which did not in time of peace make such a progressive reduction of its debt as would enable it to meet the hazard of a future war. The burdens of one war ought not to be allowed to accumulate on those of another, until the vessel of the state became, as it were, water-logged, without a chance of reaching port, and dreading destruction from every approaching wave. It was the duty of the House, therefore, without the slightest delay, to take such measures as would reduce the debt to such limits as might be deemed, under all the circumstances, expedient. The proposition of the chancellor of the exchequer was not intended merely to favour the stock-holder; it was to benefit the nation at large, which could not be secure until the debt had been reduced. This process ought to be begun with a sinking fund of not less than 5,000,000*l.*; progressively ascending to 8,000,000*l.*; leaving it to the wisdom of parliament to decide, whether it was fit that the accumulation should continue further, or whether the still growing surplus should operate a remission of taxation in favour of the people. After such a war, and such enormous financial exertions, some limits ought unquestionably to be put to the burdens of the people; but if the argument of the right hon. gentleman meant any thing, it meant that the effort now recommended was too insignificant. Did he mean to countenance the notion, which no man who had one clear idea on the subject of finance, would support, that 15,000,000*l.* instead of 5,000,000*l.* should be annually operating the reduction of the debt? If it did amount to that, unquestionably the first act of parliament ought to be to diminish that sinking fund, which would be in truth most injurious to the whole property of the kingdom. If the dispute were as to time and amount, and not as to tax or no tax (for that was conceded), then came the question, whether 5,000,000*l.* was the proper sum to be named? and examining the details, it might be found that there was a peculiar claim upon the House to impose taxes at the present moment. The consolidated fund, looking at the charges upon and the sums payable out of it, never stood in a situation like the present; and when the right hon. gentleman spoke of breaches of faith, he might properly and fairly have argued, that parliament would have been guilty of a breach of faith to the public creditor, if it had not taken some steps upon the subject; for at present there were not assignable ways and means to pay the public creditor, and to provide for the sinking-fund out of it. In this view, if the chancellor of the exchequer had called upon the House for less than 3,000,000*l.* he would not have done his duty, with a view to rendering the consolidated fund equal to the burdens it had to sustain. There was now no surplus upon it which the chancellor of the exchequer, as formerly, could bring forward for the current expense: and by the union of the exchequers of Great Britain and Ireland an additional weight had been laid upon it of not less than 4,300,000*l.* If, then, it was true, according to the right hon. gentleman, that 5,000,000*l.* were too little, and that 8,000,000*l.* were scarcely enough; and if, it was true that 1,000,000*l.* might be spared in other ways; and, according to another hon. gentleman, great savings effected on drawbacks and bounties, what did it prove, but that the relief which the plan contemplated would be much sooner attained? Then came the serious question, when the reduction of the national debt should cease, how far the anxiety of the people to be relieved from taxes ought to be attended to; and how far the forebodings, perhaps justifiable, of an approaching war, ought to be allowed to operate a still farther diminution until the threatening cloud should have blown over? His lordship should consider the nation in a proud situation in point of finance, with a sinking fund of 8,000,000*l.*; and an almost inexhaustible reserve of 15,000,000*l.* in the shape of a property-tax, should the threats of a daring enemy and the dangers of the kingdom render it necessary for ministers to call upon parliament for a renewal of that mighty source of revenue. However unwilling a minister might be upon points of speculative policy to call for this aid, yet his lordship confided on the energy and wisdom of the nation to grant it, should a case of necessity arise. It had already consented to the sacrifice on the return of Buonaparté from Elba; and he did not doubt that, should a new expensive war visit the country, the government would again be armed with this massy and impregnable shield [continued cheers]. Starting then at 5,000,000*l.*; some assurance might be felt, that at no distant period the produce of the sinking fund might be applied to the diminution of the taxes; and what were called the dead expenses of the country, in pensions, &c. to the army and navy, would probably be annually reduced to the amount of 150,000*l.* What might be the growth of the revenue, it would be idle to speculate; but not to entertain sanguine hopes would be to belie the result of all experience. It was, of course liable to fluctuations; but it had always, upon the whole gradually and sometimes rapidly ascended, and it was undeniable that its natural tendency was, to augment. Upon this and other points, he was by no means gloomy in his expectations and he agreed with the right hon. gentleman that it would be highly satisfactory if, by the influence of a large sum upon the market, and other favourable circumstances, the funds were so raised that the 5 per cents or 4 per cents could be paid off. He saw the less reason to despair of witnessing this epoch in our history, from a recurrence to the year 1792, when the 3 per cents were nearly at par; and now with a sinking fund of 5,000,000*l.* in the first instance, gradually increasing, there seemed little room for melancholy reflection. It was not to be forgotten that before the end of the war the people had borne 18,800,000*l.* of taxes, which they had since not been called upon to sustain; they had borne them, not without some degree of suffering, but, unquestionably, without any diminution of the general prosperity; therefore, when government now proposed only to revive 3,000,000*l.* of those taxes, it placed a firm reliance on the courage, as well as on the wisdom of the nation, which was always anxious to meet its difficulties: it only required to have them pointed out, and means of removing them were afforded without reluctance. "Then," said the right hon. gentleman, "what a set of wretched ministers those must be who did not come earlier, who kept the secret until so near the end of the session." The House, however, had been repeatedly told, that the most proper time to meet the difficulty was when its nature and extent could be best ascertained. Ministers had always professed to look forward to a period when it might be necessary for them to make a new effort of taxation; and as to the time for this call, his lordship fairly avowed, that except for particular circumstances, it might have been made with more advantage at the beginning of the next session than at the present moment. An examination of the affairs of the Bank had, however, been deemed requisite, and that had led to a general view of the financial state of the country: having thus sifted the difficulties to the bottom, he most egregiously mistook the temper of the people, if it would have been possible for ministers to prorogue parliament, without attempting to remove them; if they had yielded to any wish for postponement, they would indeed have met parliament next year with merited reproach and ignominy: then, indeed, the right hon. gentleman might have launched out against those who had allowed the country to brew and ferment upon its embarrassed situation—who had permitted the difficulties to accumulate, to heat, and ultimately to endanger the prosperity of the realm, perhaps without the hope of a remedy. How would the public mind have been inflamed if the discussion of future taxes had been left to county and town meetings? How would the evils have been exaggerated by mistaken views of policy not separable from the debates in parliament; not separable even from the enlightened speeches of the right hon. gentleman! Ministers would not have been able to pass a very pleasant summer, if, instead of submitting the subject to the great council of the nation, they had listened to the advice of the right hon. gentleman, to allow it first to be decided in parish meetings and village conventions. After all there was no proposition so difficult to be argued as one that was self-evident; and so obvious was the course that ministers had pursued, that few but the right hon. gentleman could be found to complain of it. The question resolved itself into this—ought the country to be satisfied with its financial situation? The right hon. gentleman himself was far from being satisfied upon it: he seemed to hold out a prospect that he would have made a much greater effort; that instead of 3,000,000*l.* of taxes, if he had been minister, he would have proposed 10,000,000*l.* His advice upon this and some other subjects might be very good, but he doubted whether the country would be willing to pay the additional 7,000,000*l.* to obtain it [a laugh]. His whole speech went to show, that ministers ought to be turned out of their places, because they did not propose 10,000,000*l.*: at all events, an effort ought to be made. The present government thought 3,000,000*l.* sufficient, and they had also thought it better to submit it to parliament rather than to the provinces. The next point was, was the present fit time for making an exertion? Upon that his lordship wished to join issue, and he was as little apprehensive for the result as he had been on a former night, when the voluntary confidence of the House had exceeded even his most sanguine expectations. Then it was that the grand question, for which the other side had so long waited, was decided, and when the House of Commons had had the courage to declare by its vote, that it placed more reliance on the measures of ministers than on the speeches of their antagonists [Continued cheers].

Mr. *Brougham* said, he was quite ready to meet the noble lord on the ground where he had planted himself: he had undoubtedly put this most important of all questions to a fair and intelligible issue; and it was simply this—whether at this particular moment it was fit that the House of Commons should give its assent to a motion for raising 3,000,000*l.* of taxes from the pockets of the people to be placed at the disposal of the existing government? It was certainly possible to contemplate a period at which parliament might be justified in entertaining such a proposition; but he entreated every gentleman calmly and dispassionately to reflect, whether he could make up his mind to vote that that period had arrived, or whether on the contrary, recent measures had not put a bar to the consideration. He would first endeavour to set right his right hon. friend in the eyes of those who had been present only while the noble lord was speaking, and who contrived, with some ingenuity, but with very little regard to correctness, to misrepresent the address of his right hon. friend who had preceded him: there was nothing in the spirit, purport, or analogy of the speech of his right hon. friend, which could warrant for a moment the gross perversions to which it had been subjected. The first mis-statement was as to the time when new taxation might be necessary. His right hon. friend had not said that the time had arrived, but that it might arrive; but he went so far even as to assert, that he did not think it would arrive; yet the noble lord had not scrupled to assume that he had admitted the whole question, by allowing the immediate necessity of increased taxation. An imputation had been thrown out against his right hon. friend of raising a clamour against all taxes whatever; but his right hon. friend had said, " Don't let it be supposed that I mean to make these objections against taxes generally; that I mean to contend, that at no time, and under no circumstances, may additional taxation be imposed upon the country; but this is not the time." The time might arrive when, refreshed by a long interval of peace, and by those habits of industry which always together induced such a consequence, that accumulation of capital might take place which might put her in a more advantageous situation. A time might arrive when the people should have enjoyed that just and necessary repose, which they were so richly entitled to, by their sufferings, their blood, and their toil; by their patience under those sufferings, by their constant and devoted attachment to the interests of the country, and still more by their firm resistance to all those attempts which had been made to seduce them from their duty;—the time might arrive when, thus situated, they would stand in a different relation to such a proposition; but now to interrupt their short breathing time, in their present exhausted state was not only most indecent, but, to use a still stronger term, was a most atrocious attempt to increase the oppressive burthens of a people thus suffering, patient, and deserving. If any one had only heard the noble lord's statement, he must have supposed that his right hon. friend had been contending that these 3,000,000*l.* of taxes were not sufficient, and that instead of them he wanted 10,000,000*l.* It had puzzled him to account for the noble lord's former misunderstanding; but just now he caught, as it were, a glimmering of the reason why the noble lord had here so mistaken, or, to express himself in a parliamentary sense, mis-stated the reasoning of his right hon. friend; but he protested against any mode of reasoning which could give the noble lord a right to assume that the right hon. member had said that 3,000,000*l.* were too little, and had only objected, because the sum was not rather 10,000,000*l.* There was another thing which, in justice to his right hon. friend, he must take notice of. It was said that nothing could be more unfair than for him to oppose a plan which was, in fact, a leaf taken out of their (the opposition's) book. But his right hon. friend's objection was, to one point, and the noble lord's to another. His right hon. friend did not accord with this plan, inasmuch as it took a large part of the sinking fund away so as to leave but just a sum which it was proposed to increase to 5,000,000*l.*: a new sinking fund, of that magical amount and number, which had been so often repeated, and which, it would seem, was not to be exceeded. His right hon. friend had said to his majesty's ministers, "You have at last spoken out; you have at length told the country truly, that they have no real sinking fund but 2,000,000*l.*, and that liable to the services of the year." The whole gist of his right hon. friend's argument was this—that in consequence of the present pressure, and of the direful and insuperable necessity which resulted from it, they would be compelled to break faith with the stockholders, inasmuch as a new sinking fund was to be given them; whereas they had lent their money on the notion, at the time, that there existed a sinking fund of 15,000,000*l.*; and which, but for the arrangement in 1813, would have been now 21,000,000*l.* The noble lord said, there was no question on which he was so little disposed to meet his right hon. friend as one of finance. The reason was, because it was generally a question of arithmetic, which prevented the noble lord from entering into vague generalities. This part of the question was perfectly plain, and could not be obscured by words. In the year 1786, a sinking fund was created of 1,000,000*l.*, to which 200,000*l.* were afterwards added, making altogether 1,200,000*l.* In 1792 the appropriation of so much of every loan to this fund was determined on, which gave an assurance that at the end of 45 years from the period of each loan's being contracted it would be extinguished by the operation of the sinking fund. In 1802, a new arrangement was made by lord Sidmouth, of which it was not at present necessary to say much, because, although there were many objections to it, it did not much postpone the term. Then came the operation of the year 1813, which consisted in postponing the payment. The consequence of that operation was, to reduce the sinking fund in the mean time (which if it had continued and gone on without it to the present day would have been 21,000,000*l.*) to 15,000,000*l.*; but the terms made in 1813 with the stockholders, which were so made in language as distinct as could be made use of, were, that the then fund should be sacred. Now came the present plan; but nothing was done to redeem their pledge—nothing done to preserve faith with the public creditors. All the sinking fund had been taken away, except only 2,000,000*l.*; and it resulted, that, instead of loans being diminished or extinguished, they were going to substitute for a sinking fund of 21,000,000*l.* one of 5,000,000*l.* Did not all this put the fundholders in a very different situation? And he would ask whether, to all intents and purposes, the faith of the public was not broken with them? He did not, however, complain of this; it was dreadful, but it was unavoidable; we were reduced to it by absolute and dire necessity. They must pay their army, their navy, their judges, their civil, military, and legal establishments; this was matter of stern necessity; and as such, it could not be helped. The stockholders must be content to go on with a sinking fund of 5,000,000*l.*, according to the right hon. gentleman opposite, but which, according to gentlemen on his side of the House, did not amount to more than 2,000,000*l.* in fact. That any of the papers on the table could make it out otherwise he would defy gentlemen to prove, even if they looked over them to the end of time; so that the great difference was this—here was a sinking fund of 5,000,000*l.*, which it was said might increase to 8,000,000*l.*; whereas it ought to have been 21,000,000*l.*, and increased to 30,000,000*l.* He was most truly sorry for this inevitable breach of faith; but he felt that it could not be prevented. As far, however, as he could prevent it, there was one farther step which should not be taken, one weight more which should not fall upon the people: he would not consent that at the end of such a war, and in the very infancy of peace, new taxes should be imposed on them, new burthens, new impositions, which they could not pay [loud cheering]. The proposition of his majesty's ministers should have been shown to be founded in absolute necessity; nothing but the most pressing and serious emergency should have been appealed to by them for their justification. The defence of the public liberty—the protection of the empire threatened by a war—these were the only circumstances he could at present contemplate, that would go to make out a case sufficient to justify such a proposition as the present. Supposing the people to remain, burthened as they were, and drained by the existing taxes, he could hardly imagine any case, short of a war, that could justify the government in laying on fresh taxes; and he was tempted to add, in almost no other case ought the finances of the subject to be farther encroached upon. But, if a war should make it necessary, or if the operations of finance should require the means of the public to be still farther taxed, he must concur with his right hon. friend, that it would be childish, or he should rather say it would be base, to raise a clamour against taxes thus indispensable.—The question, therefore, was, was there a case before the House to justify such a step? The distress of the agricultural and manufacturing interests, it was admitted on all sides of the House, were very great. He had heard it admitted in a speech of great eloquence from the right hon. chairman of the Bank committee, that the truth must be spoken: that this was not a transitory evil, but had its root and origin in the present state of the country. If so, was it not the more necessary to consider what was likely to be its nature, and what the necessary result of their present measures? What, also, it behoved the House to consider, might be the effect of the resumption of cash payments, and the intermediate steps which it was proposed to take before that great object was achieved? This he considered a problem of great difficulty. He knew some persons, honourable friends of his, and whose opinions he always received with the utmost deference and respect, who, in treating this question, and viewing it with relation to its effect upon the price of commodities, had first endeavoured to ascertain what was the limit of depreciation. For this purpose they had taken the Mint and market prices of gold, and finding the variations between them from 3*l.* to 4*l.* per cent, they considered that to be the limit. It would have been, perhaps, proper to have taken it at 5 per cent, which was the rate of difference a little before that period, and at which it had continued for some time; the other was the variation as it existed at the time. Now, whatever the steps were which might be adopted, a certain time must elapse before the resumption took place; they had no right, therefore, to take the present price, and to judge from that; but it was a safer course, he thought, to consider it as 5 per cent. Assuming that, then, as the limit of the depreciation, he should proceed, speaking with unfeigned doubt on a subject, as he had before said, of so much difficulty; but he thought it was as well to make the assumptions, because it was found that the rise of prices had followed pretty closely such limit or rise. He did not wish to mingle other subjects with the consideration of this; but it was necessary to advert to some other points in order the more fully to elucidate it, and to show that the limit which the operation at present pursued with respect to the currency was of itself a tax upon the country. He could not see why that limit of 5 per cent was to be taken as the limit of depreciation. It might be so, but the reason on which his doubt was founded was this: from the period at which the depreciation first took place in the value of the currency, that is, from its minimum to the time at which it reached its maximum, there was a rise of prices of all commodities (excepting some few, which, from the quantity of the material, the cheapness and extensive use of machinery, or other local causes, were cheaper) greatly beyond the proportions of the market price over the Mint price of gold. That price was once 30, and very generally 20 per cent higher; but when that rose to 20 per cent, the price of all the articles of living, &c. rose to 100 per cent and upwards. This was owing to the influence of a great many circumstances which never affected the price of gold. The depreciation of Bank notes was attended by a proportionate rise of gold, and when the rise on the price of gold was about twenty per cent then, it was rather rash now (looking at the present price of gold), it was hardly possible or justifiable to believe, that the difference between the Mint and market prices being abolished, the amount of the depreciation when the Bank should resume cash payments would be 5 per cent only. For his own part, he certainly expected a general depreciation, much greater than 5 per cent, when the operation he spoke of should have taken place. It appeared to him, that although hon. gentlemen might differ as to the means, there could be but one opinion upon the expediency of the Bank resuming cash payments as speedily as possible: in whatever way, and at whatever time that took place, a general depreciation in the price of all goods, of stock, and the rents of Houses must ensue. The very minimum would be 5 per cent, possibly 7, 8, or even 10, but at the least farthing 5 per cent. With the rents, the value of all stock, and of all income derived from that value, must fall at least 5 per cent also, and not impossibly 10 per cent. Now, by this depreciation of their means, perhaps as much as 20 per cent would ultimately be sustained by the payer of taxes; and yet it was proposed to burthen them with 3,000,000*l.* additional taxes! Why, if there was any consistency among his majesty's ministers, or any of that lenity that the chancellor of the exchequer was always vaunting, and which he so much eulogized, but which expired in 1816 with the property tax—a tax which he could never open his mouth without singing its requiem, or rather chanting its dirge;—if they possessed any of that boasted lenity, instead of laying on 3,000,000*l.*, they would have studied every means of taking them off. They would not have suffered a word on the subject: if they were proceeding upon a system of unsparing retrenchment and economy, they would have endeavoured to devise, not the means of proving this dreadful necessity, but the means of sparing the people from its operation, and the effects of that great depreciation to which he had adverted. Every one of the taxes this night proposed was a money, not an *ad valorem* tax. Where the means of paying it were thus depreciated, they were laying not a duty which would fall the lighter on account of the depreciation, but a dry, hard money tax, which pressed heaviest on that part of the community to whom money was most indispensable. It could not be said, while they were calculating on a quantity of money, that they knew what its value was. The pound note might be worth 18*s.* or 22*s.* for what they knew; for, under present circumstances, he might say money had not attained its last shape nor determinate value. To talk of laying on so many millions, was to talk in ignorance—to aim a blow in the dark, which might fall they knew not where. On these grounds, he could not refrain from telling the noble lord, that at no time, in no period of the history of the country, was a more unfit opportunity than this ever selected for laying on such taxes. The noble lord had expressed great indignation at his right hon. friend for expressing his want of confidence in the government as to any desire of alleviation; and had maintained that his majesty's ministers had shown every disposition to economy. How had they shown it? Really, he must be allowed to use the expression, but he had from their conduct a right to assume, that in spite of themselves some expenses had been retracted; and to suppose that the same sums were still to be voted for the equipments of our army, or the fitting out of our ships, was indeed ridiculous. But what other reductions had they made? The noble lord had said, "You talk about retrenchment; why do you not enter into more particular details?" Now, his right hon. friend had expressly declared he would not enter into details, but would point out only the quarters wherein retrenchments might be effected. To begin, then, with the collection of the revenue; he would ask, whether it was or was not true, that that one great branch of the revenue, the excise, had offered to the government to collect the other great branch of it, the customs, at the same low rate at which the excise itself was collected by that honourable and upright board; whose zeal in the discharge of their duty, fidelity to the public interest, and conscientious integrity, rendered any attempt to give them sufficient praise hopeless. [Hear.] Was it true that they had offered to collect the customs at 5 and a fraction per cent, instead of 13½ per cent, the expense of the present collection? Was it true, as it should seem from papers before the House, that by the last returns, the very remarkable circumstance was observable of the expense of collection, this year, as contrasted with the last, exceeded those of the former by 1 per cent additional? Last year they were 12 and a fraction; this year 13½ per cent. Here, then, was one chapter of his right hon. friend's budget, by which alone 500,000*l.* a year might be saved to the country. [great cheering]. Had he not a right to assume, from this, that a really sparing, considerate, and economical administration, might find other branches of the revenue in which similar savings might be made?—He would now mention one other instance, in which although any saving to be effected was not comparable to the last, yet it was a matter of the highest importance to the country. He meant the state of those offices which were paid by fees, or poundage, as it was called. They were not only a large and needless expense, but they were sinecures which harboured nests of placemen, and extended the patronage of the Crown through every part of the country. If hon. gentlemen would take the trouble of looking at the returns which he moved for about two years ago, they would find that about 120,000*l.* were annually paid to persons called receivers of the land tax, receivers of assessed taxes, and distributors of stamps. These were persons doing their offices by deputy; merely reserving to themselves the signature of receipt. But for merely doing this, they had various salaries from 700*l.* up to 5,000*l.* a-year. He did not mean to say that they could be all done away with; but why did not ministers make a better bargain for the public? These were not the patent places, which the holders would tell you they had paid for, and would defend; why, then, were these not attacked? Let those who had, for instance, 4,000*l.* content themselves with 1,000*l.* a-year; and those with 700*l.* take 250*l.* or 100*l.*; they would be glad to get it for doing nothing. The comparative smallness of a tax must always be viewed in reference to the means which existed for supporting it. He only hinted at this consideration, on account of what appeared to be a sort of defiance from the noble lord—a defiance intimating that the present measure would be supported by all those who had recently proved themselves the friends of administration. The noble lord appeared moreover to signify, that the calls for retrenchment and economy, made on that side of the House, were little better than mere words. In delivering his own opinion upon that subject, he was at the same time expressing the sentiments of many, when he stated his belief that in numerous departments of the public service considerable reductions might be made. Many offices in the revenue were nearly useless, and might be abolished; in others, additional duty might be attached, and a saving effected in that manner. Above all, he must declare that he should never feel satisfied till some general measure of reduction in the amount of public stipends, proportionate to the difference of prices, and to the augmentation which had been made on the sole ground of that difference, was carried into effect. This, however, was a subject on which it might be impracticable to legislate at present, or to form any decided opinion on, till the currency of the country had taken a more settled form. But did he expect any endeavours for accomplishing this object to be made by the present ministers of the Crown? Certainly not. He entertained no such fallacious hopes. He knew well that they did not wish for it, and he knew also that if they wished, they had not sufficient confidence in their strength to dare the attempt. They might vapour with respect to the face of their late majority; but the fact was, that they were not in a situation to face their own 350 friends. The clerks in office could hardly be depended upon. The cause of all their weakness and uncertainty was, that they had no root in the esteem, the confidence, or the affections of the people. Until they could stand on something firmer than the basis of a casual majority, until they could command something more than success upon a question purposely raised to give them an advantage, a question which bore the resemblance of a mere party or personal contention, he would warn the noble lord not to put his faith in the flattering tale which that majority might suggest. It had been composed of persons acting from various motives, and from those prejudices which were inseparable from the decision of all such questions. The noble lord had derived from those inveterate prejudices a support, which he grossly deceived himself in expecting to retain as the means of carrying into effect whatever measures he or his colleagues should propose. The noble lord had indeed said, that the House, after its late vote, was bound in justice to confide in the financial arrangements brought forward by the ministers of the Crown. If such were the natural consequence of that vote, he should deplore it more than he did at present. He would ask of every man whose vote had been solicited or wheedled from him on that occasion, whether he conscientiously believed that the people at large were in a situation to pay more taxes; whether his constituents were not in circumstances that made it an act of cruelty to add to the burthen with which they were already oppressed? Nothing had been advanced in justification of increased taxes but the gratuitous assumption, that we ought to have a sinking fund of 5,000,000*l.*? The noble lord must surely recollect the extent as well as nature of Mr. Pitt's original plan. It might be easily shown, that Mr. Pitt was of opinion, that a sinking fund of 1,000,000*l.* bore a due proportion to a debt of 240,000,000*l.* According to this rule, a sinking fund of 3,300,000*l.* would be sufficient for the present amount of our debt. Instead of raising it to 5,000,000*l.* for no other purpose than to make a parade of figures, he should be content to leave it at 2,000,000*l.*, to which he should be happy to add whatever might be procured from retrenchment, which, if vigorously prosecuted, would probably yield 1,000,000*l.* more. This was a plan more suitable to the state of our resources, and calculated in some degree to maintain that policy which, in the event of future disturbances in Europe, it might be necessary for us to adopt. It would be a more certain way of husbanding our resources than that of keeping up a large sinking fund by taxes, that dried up the fountains of revenue, that oppressed industry, and discouraged the employment of capital. Every gentleman who heard him must, if acquainted with the recent history of the duties on wine, on tea, and on coffee, fully understand how their real produce was affected by an increase or diminution of their amount. If the money were left in the pockets of the people, instead of being taken away to accumulate at compound interest, it would be employed much more productively in augmenting the wealth, and nurturing the legitimate resources of the country. We might then be enabled to meet sudden alarms, or foreign hostility, in an attitude which we could not otherwise assume. The noble lord, in eulogizing the extent of the national resources, had referred to the income tax as a means in reserve, by which a sum of 15,000,000*l.* might be annually raised. He was happy to reflect that we had not so far forestalled our means, that we had not drained this great source of revenue in times of embarrassment and danger; and he earnestly hoped, that, by a policy not more wise than it was just, we should grant to the people that relief which they had so dearly earned, and which he sincerely believed was the true mode of preparing for a fresh contest, if such a calamity should befall us, with undiminished confidence, and unimpaired resources.

Mr. *Huskisson* observed, that the opinions of the hon. and learned gentleman did not appear to be in strict consistency with the views taken by the right hon. gentleman (Mr. Tierney). The right hon. gentleman had treated the question as one that involved a breach of faith with the public creditor, and had argued, that by the proposed arrangement, the sinking fund was effectually taken away. He admitted, most distinctly, that in the fifth year of peace it was necessary that a full exposition of our financial system, in all its parts, ought to be submitted to parliament. This exposition had been made by his right hon. friend, the chancellor of the exchequer, and the House was now put into a situation to exercise its judgment upon any new or practical measure that might be recommended. The measure now under consideration could only be justified on the principle of necessity; and it was upon that point alone that they were at issue. He had hoped that this would be the view which would be taken of the question on all sides, and that it could have been discussed without reference to the lords of the Admiralty, or to any of the persons exercising the functions of government. It certainly did appear to him, that for some time after the gigantic and unprecedented efforts which this country had made, palliatives ought to be administered, but that it was essential to our security to return as soon as possible to a sound system of finance, and to look our difficulties in the face. We could not disguise either from ourselves or from foreign countries what our real situation was. The continental powers were exerting themselves to place their finances on a right footing. Russia had been endeavouring to restore her circulation to its former value; Prussia was acting the same part; and Austria had established a sinking fund. If they turned their attention to France, it would be seen that, after all her sacrifices and contributions, she was now, in a financial point of view, in a state of comparative prosperity. The last budget submitted to the legislative council indicated a revenue equal to the maintenance of every establishment, corresponding with the rank and station of France amongst the powers of Europe. She had a *bonâ fide* sinking fund, equal, in proportion to her debt, to that originally provided by Mr. Pitt. This proportion was 1 per cent upon the aggregate amount of the debt; and the debt of France being 170,000,000*l.* sterling, her sinking fund was at this moment 1,700,000*l.*, accumulating at compound interest. What was there in our situation that should induce us to act upon a different policy? We had a debt of 800,000,000*l.*, and a sinking fund of 2,000,000*l.*, amounting only to one-fourth per cent on the debt itself. The plan under consideration would raise it to 5,000,000*l.*, an amount not equal to what he thought right, but which would alter the proportion to that of 5-8ths per cent. Reference had been properly made to the consolidated fund as to a subject of the first importance; but the right hon. gentleman had certainly made no great discovery in pointing out its late deficiencies. The quarterly returns made them very generally known. It was, however, equally certain that these deficiencies ought to be supplied. The maintenance of the consolidated fund was bound up with the honor and credit of the country; but the case was this—that we had imposed upon it charges which it was inadequate to pay. Parliament had held out to the country that this fund should form the security of the public creditor, but it had subsequently overcharged it. For thirteen years after the peace of Amiens, it afforded an annual surplus of 3,500,000*l.*, and we had always been taught to look for the existence of some such surplus. The words of the appropriation act pointed out the destination of this surplus. Its first recital related to it, and it appeared to have been always in the contemplation of the legislature. Since the last peace, however, there had been a falling off: there was at first no surplus, and the deficit now amounted to 1,885,000*l.* This deficit had existed for the last two years, and was to be ascribed in the first instance, to the consolidation of the Irish with the British revenue. In stating this, he did not mean to say that Ireland had not contributed to the full extent of her means; for his persuasion was, that it was the want of capital alone that had checked the progressive augmentation of those means. Be that, however, as it might, it had entailed on the consolidated fund an annual charge of 8,815,172*l.*, but the act to which he had before alluded contained a clause that specially provided for rendering the consolidated fund equal to all the charges which might be fixed upon it. The account ordered in that clause had, very properly, every year since been laid before parliament. It was not as yet prepared for this year; but last year it appeared, that, for the preceding two years, the amount of the interest of the Irish debt exceeded its permanent revenue by 2,000,000*l.* The deficiency of consolidated revenue, as compared with the charge for both countries, last year exceeded the sum now proposed to be raised by new taxes. By an arrangement, which left this deficiency to be made up by the Bank, we had placed the public credit of the country, and the public creditor, at the mercy of that corporation, which might at its pleasure refuse to pay the dividends. He knew that the Bank had too much confidence in the national resources, too much public spirit and patriotism, to refuse to advance the necessary sums when applied to; but he would also contend, that the credit of a great country like this, the maintenance of the national honour, ought not to be intrusted to the discretion of any corporation, however well disposed and however respectable. He owned that it was with a feeling of surprise and regret, that he heard the right hon. gentleman, who had on all former occasions stood forward as so strenuous a defender of the sinking fund, after lamenting the breach of public faith, which faith was not broken, and after attributing that breach of faith to a necessity which did not exist, consenting to sacrifice that fund. He would not now, in answer to the right hon. gentleman, go at present into a detail of all the advantages which this fund had contributed to the internal credit and external security of the country. He was not now called upon to defend it, because it was not attacked, and he hoped he never should. He hoped gentlemen would always remember the great purpose for which it was instituted, and that they would never show a disposition to violate the most solemn pledge which parliament could give to the national creditor, or think they could promote the public interest by surrendering public honour. It had been the fashion to consider the public creditor as the only person interested in the application and preservation of the fund; but this was a proposition from which he entirely dissented. The interests of the nation were as much connected with it as those of the individual fundholder. If any gentleman was disposed to doubt this, he would only beg leave, in order to remove his doubt and produce conviction, to refer him to the state of the country in 1783, at the conclusion of a long and disastrous war, and before the sinking fund was created. The debt was then about 230,000,000*l.*, and the revenue such as to exhibit a deficiency or to afford no surplus for its diminution. The only question among the politicians of that day was, not how they could reduce the debt, but how they could raise taxes to pay the interest and to support the establishment of the country. But at that time the resources of the nation were intrusted to the direction of a man whom no obstacles within the range of possibility to surmount could finally oppose, and whom no difficulties in the accomplishment of his object could deter. Mr. Pitt saw that the situation of the finances exposed us to danger in the event of any fresh war, and afforded us no hope of seeing our burthens reduced during peace. By his eloquence he roused the nation to a sense of its danger, and by his energy and perseverance he rescued it from its embarrassment, providing in the course of three years a revenue that not only was sufficient to support all the national establishments, and pay the interest of the public debt, but afforded a surplus for a real and effective sinking fund. Had his lamented friend not taken that course, or had he followed the one now recommended by the right hon. gentleman, we should not have had that fund which had since supported public credit, and enabled us to display that power which had gained us such influence in Europe, and brought us so much character and glory. In 1786, then, the sinking fund was first established; and here he could not but remark on the strange observation of the hon. and learned gentleman, who had said he would wait for some declaration of war, or some insult to our national honour that would lead to a war, before he would consent to impose new taxes to relieve us from the weight of our public debt. If we waited till then, we should wait till it was too late. On the contrary, it was our duty, and ought to be our policy, to make present exertions for our future relief during peace, and as the best preparation for carrying on hostilities with vigour and success, should a war be unfortunately rendered necessary for the protection of our interests or the assertion of our honour. When gentlemen spoke of the hardships of the present taxes, it might not be amiss to remind them of some of those which existed before 1792, which were that year remitted. These taxes had been borne for many years; they had been acquiesced in with patience, and yet they were such as no minister of the present day would dare to propose. They were four in number, all direct taxes, all in the class of assessed taxes. The first was an assessed tax, on what?—on female servants. The second was a tax on carts and waggons; the third was a tax that would not now be thought of for a moment, namely, a tax on cottages with fewer than seven windows; and the fourth was a tax of a halfpenny a pound on tallow candles. The situation of the country was now very different from what it was when the first sinking fund was created. The nation had then just concluded a long and disastrous war, by an ignominious peace. Now we had concluded a long and successful war, with glory to ourselves, and with that advantage to Europe, which was likely to secure the continuance of peace. But though our present situation of tranquillity were not likely soon to be disturbed, it behoved us, as the best security for its duration, to prepare for the necessity of sustaining the future exertions of war. In pointing out retrenchment as a means of reducing the public debt without an increase of taxation, the hon. and learned gentleman had departed from the cautious and prudent course of his right hon. friend. The latter confined himself to the bare mention of 1,000,000*l.* without going into particulars; the former had unfortunately exaggerated the sum and specified the items of saving. His first object was, to abolish altogether the board of customs, and to transfer its functions to the board of excise, by which he said, a saving would take place in the collection of the revenue of the difference between 13½ and 5½. This project, he had moreover said, had been suggested by the board of excise itself. The thing appeared so absurd, that he wondered the hon. and learned gentleman could give credence to it one moment. But how could the hon. and learned gentleman, who was so zealous a defender of the rights of the people, who declaimed so much against the property tax on account of its inquisitorial character, and proposed that a conflagration should be made of all the returns connected with it, reconcile his feelings to introduce the excise system into all the transactions of the country? Did he not know that almost every article that paid custom duty was likewise subject to an excise duty, and would he propose to follow it into every manufactory, into the shop of every dealer, and introduce the vexations of the excise into all the business of life? He did this because the system of the board, as he called it, was admirable. But was the board of customs established for nothing else than the collection of revenue? Did it not see that the navigation laws were observed, and perform several other functions? The plan of uniting the departments of excise and customs was so absurd, that it could never have been suggested by any board in its senses, and could never have been entertained by any ministry that did not wish to throw the country into confusion. Then as to the hon. and learned gentleman's allusion to the stamp distributors, he was quite mistaken in supposing that such a sum as 4 or 5,000*l.* a year was granted to any distributor, as that sum was divided among the principal and his deputies, for whom the former was always responsible, while he received no more remuneration than was really due for his responsibility and trouble. He agreed with the hon. and learned gentleman, that it was desirable to reduce the poundage upon the collection of the revenue, as far as that reduction was practicable; but the branch of the revenue to which the hon. and learned gentleman alluded was one to which that principle was not applicable, as he had found when connected with the Treasury, and when a considerable reduction of this poundage took place in various departments. He thanked the House for their indulgence, and should sit down, resolved to give his cordial vote for the resolutions submitted to the committee.

Mr. *Brougham*, in explanation, expressed his surprise that the right hon. gentleman could have attributed to him the invidious doctrine of recommending the excise duties, attended with domiciliary visits. Every gentleman who had done him the honour of listening to what he had said, must be aware that nothing which fell from him bore the slightest reference to such a proposition.

Mr. *J. H. Smyth* felt anxious, upon a question of such vital importance, in which every man, whatever his rank in life might be, was interested, not to give a silent vote. He thought it was due to the chancellor of the exchequer to say that he appeared this night to show a disposition to look the real danger of the country in the face: he was ready to admit, that its situation required an exertion on the part of the people, and that an available surplus for the extinction of the debt was necessary; but before ministers required the increase of taxes, it became them to show, and parliament to demand, whether the reduction in the public expenditure was so great as might be effected. As a member of the finance committee, he thought himself justified in saying, that very considerable reductions might be effected. The first branch of expenditure in which economy might be enforced was, the collection of the public revenue. This was thought to be a fair object of inquiry at the commencement of the session, and it was accordingly proposed; but the noble lord opposite said it might be done in the finance committee. Up to this moment, however, no such inquiry was undertaken.—The second branch in which some saving might be effected, was in the estimates of the military service. But why was not a committee appointed by the House, for the purpose of ascertaining what reduction might be effected in every branch of the public service? Let the result of this inquiry be first ascertained, and if the object of ministers to place the revenue five millions over the expenditure were not thus obtained, it was then competent for them to demand from parliament an increase of the public burthens. But until this was effected, he did not think they had made out a case to justify their present demand upon the public.

Mr. *C. Calvert* felt himself bound to rebut the false imputations which had been cast by the chancellor of the exchequer upon the gentlemen connected with the breweries of this country. He begged most earnestly to protest against the truth of the observations which had been made, and was fully prepared to answer them by entering into a minute statement of figures. He would not, however, at present trouble the House with the investigation, but he pledged himself to give a full and complete answer to these false accusations whenever the malt tax should be brought under the attention of the House.

Mr. *Scarlett* said, he had listened to the speech of the right hon. gentleman opposite (Mr. Huskisson), and agreed with him as to the advantage of having the debt of the country diminished. But the question immediately before the House was, whether they should now impose new taxes to the amount of three millions, on the people? On this they were first to consider, whether any public exigency required the adoption of such a measure, and secondly, whether, if necessary, the present was the best time for imposing them. This point they could best ascertain by looking to the present situation of the country. It was admitted by the chancellor of the exchequer and the noble lord opposite, that there was at present an excess of revenue over expenditure, of at least 2,000,000*l.* and yet they thought it necessary to demand an increase of taxes to the amount of 3,000,000*l.* What was the public exigency that required this increase? They were told by the noble told that peace was fully established in Europe, and that no interruption could be apprehended to the present tranquillity. Where, then, was the public exigency? But perhaps the public were able to bear these additional burthens; and it might be argued, that the people were so well able to endure this increase of taxes, and were so very willing to pay them, that advantage ought to be taken of so favourable an opportunity, and they should not wait till the time, when the public exigency was more pressing!—[Hear, hear.] Was the establishment of a sinking fund this public exigency? It might, perhaps, seem presumptuous in a man of his habits to enter upon the discussion of such a question as the present, and still more presumptuous at so advanced an hour to occupy the attention of the committee; but he could not avoid saying a few words on this subject. He admitted, that there was a great advantage in a sinking fund during a time of war; because it kept up the price of the funds, and thereby enabled the government to raise money for the public service, at a rate more favourable than it might otherwise be obtained; but he was one of those who thought the benefit of a sinking fund in time of peace very problematical, because it, in his mind, was too frequently abused from its proper purpose, and gave an extravagant ministry greater facilities of gratifying their propensities. When Mr. Pitt established the sinking fund, it was the opinion of that great financier that when it amounted to 4,000,000*l.* the consideration of its disposition ought to be brought before parliament; and when, in 1802, when lord Sidmouth was at the head of the administration, to which Mr. Pitt afterwards acceded, it was proposed that the sinking fund should be made applicable to the public service, it was then thought that during war the sinking fund should not be touched, but that in peace it ought to be applied to relieve the public from some part of their burthens. He declared that his sentiments on this subject were not influenced by any consideration of party feeling, and that no man ever entered the House more indifferent than he was about place; but he should not vote for any ministry who would, in time of peace, propose an increase of taxation to the amount of 3,000,000*l.* In relation to the 3,000,000*l.* of additional taxes, he might ask, what was there in that sum that made it so peculiarly delightful, that no amount either beyond or within it, seemed for a moment worthy of acceptance? The chancellor of the exchequer *summissa voce*, and the noble lord in a louder strain, had declared that they must have this sum or resign. What did this mean? Simply this—that the noble lord and his colleagues having discovered, by the vote of the other night, that they stood high in the favour of the House, in the insolence of triumph, called for another instance of confidence, and made it even a point of honour that they should be allowed, with a sweeping majority, to add 3,000,000*l.* more of taxes to a country already overwhelmed. This fresh imposition on the people was to be the test of the House's affection for ministers. There was, it appeared, by the statement of ministers, two millions excess, and yet they called for additional taxes to the amount of three millions. Why not put that two millions by, as an accumulating fund, or lay out the two millions annually to redeem the public debt as far as it would go, and thereby serve the very purpose for which, amongst others, it had been called for? The debt they owed was nothing else but the taxes they paid; and it was delusion to talk of the wonderful properties of the sinking fund. The chancellor of the exchequer had said, we should husband our resources and economise our expenditure; but he had discovered a new method of doing so; namely, by forcing money from the people's pockets. Taxes could not be obtained without cramping industry; and of all the modes of improvement which he had ever heard, the imposition of additional taxation was the most strange. Would the people, paying now to the last farthing, be the better able to support a new war? Would the ability to bear additional burthens in necessity, be aided or improved by supporting them when uncalled for? No; they would not, they could not. He felt every confidence in the ordinary resources of the country, if left a little to repose and gather strength from their recent exhaustion; and the accumulating fund to be constituted by the two millions of surplus, would tend in no inconsiderable degree to lessen the enormous pressure of an overgrown public debt. A great deal had been said about the consolidated fund, but its importance became lessened, when it was discovered that the sinking fund was charged upon it. He never heard of a country being enriched by taxes; although it was not a very unusual mistake to take an increase of taxes as a proof of wealth. True, a large revenue could not be paid or maintained without wealth; but a large revenue was not in all cases to be taken as evidence of wealth. When he looked at the state of the times, at the sufferings of the poor, the wages of labour unable to support the labourer or mechanic, after four years of peace taxes exorbitant, the landed interest supporting a pauper population, and the real estate of every gentleman lessened in consequence of taxation full 20 per cent, or twice as much as the property tax repealed, he could not see how the ministers of the country could possibly come forward and seek to add to the calamities that stared every man full-fronted in the face. Humanity abhorred it as much as sound policy; and a regard for the people's interest condemned it. If they could show that a necessity, above all law and all consideration, existed for making the demand, he should be the last man to oppose it. But, on the contrary, they were told that the peace was consolidated by the wise counsels of the noble lord; and yet in the very midst of peace, and without urging the shadow of an excuse for imposing a new tax, they asked the parliament to sanction their demand. The time of making the demand was particularly unfavourable, and new taxes would only serve to keep it so. The committee was called upon to say they thought three millions of fresh taxes necessary, at the very moment when the government said they had two millions above the expenses of the country. He did not consider such a sum to be at all necessary, or if necessary, he did not think the condition of the country such as to enable it to pay it. He apologised to the committee for having so long intruded upon them, but he trusted that the interests of the people would not be neglected, that their sufferings would not be increased; and that he might not increase them, he would most cordially vote against their being granted.

Mr. *Bankes* said, he would be the last man to agree to the additional burthen of 3,000,000*l.* unless he felt it to be a matter of necessity; but feeling it to be such, he should accede to the proposition of the chancellor of the exchequer though at the risk of being deemed a participator in an act of "atrocity." The hon. and learned gentleman who spoke last had pretended to disqualify himself as being unacquainted with the subject; but in the course of his speech he had shown himself so deeply versed in it, as to be able to bring new lights to it. He had made the discovery that though a sinking fund might be useful in time of war, it was good for nothing in time of peace. He humbly submitted that Mr. Pitt had been of a different opinion, that the right hon. gentleman (Mr. Tierney) who understood the subject if any man in the country did had expressed a different opinion. So had Mr. Fox and Mr. Sheridan—indeed, all who had ever spoken on it, excepting the hon. and learned gentleman. It should be remembered, that this fund began in peace; that it could not have begun in war; and as a ground for cherishing it, he would say, that if any one thing had operated more mainly than another to bring the country through its late tremendous struggle to its present pitch of glory, it was that very sinking fund for which the hon. and learned gentleman professed so much contempt. It was true, Mr. Pitt had said, that when the fund reached 4,000,000*l.* it ought to come under parliamentary discussion; but if the proportion of the funded debt of that time was compared with the proportion between the debt and fund at present it would be found to be far less than the rate contemplated by Mr. Pitt. Indeed, if the country could bear more taxation, it would be proper to fix the sinking fund at the rate of one per cent on the amount of the debt. At all events, faith would not be kept with the public creditor unless as near an approach as possible was made to this principle. But what had most astonished him in the debate this evening was the conduct of the right hon. gentleman (Mr. Tierney) who, thinking, as he always had done, that the sinking fund was essential to the national credit, should object to a plan which tended to maintain it in its integrity; nor could he have believed unless he had heard it, that a gentleman who complained so much of expedients of a temporary nature should set himself with equal obstinacy against a systematic arrangement. The hon. and learned gentleman had argued as if the existence of peace warranted the dilapidation of this fund; but who would guarantee the existence of that peace even for a short time? For his own part, he would not take the word even of the noble lord opposite as a guarantee of its lasting even for a year. This he knew, that whether we had external enemies or not, we had a tremendous foe at home in the public debt; and unless we provided for its extinction in time of peace, we should go with crippled means into a war, and be obliged to take an inferior rank among the nations of Europe. The prevention of such an evil was to be purchased even at the risk of some unpopularity.

Mr. *Canning* wished, before he commenced his observations on the question, to know whether it was the intention of the right hon. gentleman to meet it with a direct negative, as the previous question could not be put in a committee.

Mr. *Brogden* said, that the general course in a committee was, to move that the chairman should leave the chair. He had suggested that course to the right hon. gentleman before, and he appeared to him to acquiesce.

Mr. *Canning* said, that the substantial point he wanted to arrive at was, whether the question was to be met by a direct negative. That point being now established, he should proceed to the question before the committee. Whatever, then, might be the merits of the proposition of that night, one thing was certain, that the committee would abandon its duty to the House and to the country, if it departed without coming to a decisive vote, leaving the country a prey to all the apprehensions and alarm to which the exposure of the disease, without the application of the remedy, would subject it. If they did not give it their support, better at once meet the proposition with a direct negative, than follow the shuffling and evasive course recommended by the right hon. gentleman. He had, throughout the session, whatever had been the subject of discussion, indulged in one continued taunt against the ministers, that they did not dare to look the financial state of the country in the face. He had said, from time to time, that they had no plan, no object, but temporary relief, and his whole language when fairly interpreted was this—"Come not with your shifts and expedients, look the distresses of the country boldly in the face, dare to expose your imbecility and nakedness to the scorn of your enemies, and the curious gaze of the world: and then"—what then? I will move to adjourn the committee and refuse to deliberate on any mode for your relief. You will do your part in making a full disclosure of the wants of the state, and this shall be your reward—I will oppose all you recommend; I will provide no substitute for your plan; and as far as I am able, I will not let you know whether I will assist you or not." There might be two or more modes of relieving the distresses of the country, but this mode adopted by the right hon. gentleman of calling for a committee in order to record the urgent wants of the state, and then to deny ministers the means of obtaining any discussion of a possible remedy, was of all others the most extravagant and unintelligible. If a ministry had acted so with respect to an opposition, that would be bad enough; but in a candidate for the ministry, who valued himself forsooth on his frankness and sincerity, who was all openness and disinterestedness [a laugh!] such a proceeding was the most whimsically contradictory, that had ever been engendered by the blunderings of party spirit. The House had a right to call upon him to adopt the plan now proposed or to suggest some substitute; at any rate, if he left the inquiry altogether, the House had a right to say to him—"Your demand for investigation has sprung from idle curiosity, and not from any wish to remedy the evil." Suppose the ministers had not laid their case fairly and fully before the committee, what would the opposition have said then? Would not each man in his district, and all their trumpeters throughout the kingdom, have deafened us with exclamations, "why were we not chosen ministers; how different things would have been if we had governed the country! Then you should have known your incumbrances to the lowest mite—then we would have exposed the utter hopelessness of your resources, and then we would have left you precisely as you were!" Absurd as this was, it was a fair representation of the conduct of the other side of the House. Their object had been merely to expose the nakedness of the country, to throw discredit on the ministers; and then, as far as they were concerned, they were content to let the nation work out its salvation how and when it could. His hon. and learned friend (Mr. Scarlett) had expressed himself with some indignation, as if ministers had brought forward this plan to night in the mere insolence of triumph, on account of their majority on a late occasion; but he could assure his hon. and learned friend, and this not on the mere word of a minister, but the honour of a man, that long before that most injudicious motion which had been so beneficial to the ministry had been discussed, they had determined to lay before the House the measure of to-night, and to stand or fall by that measure. It was not mere bravado to say that the strength of the administration distinctly rested on this question. They were perfectly convinced that the measure now proposed was absolutely necessary for the safety and prosperity of the country, and being so convinced, the same motive which induced them to bring it forward, and especially in a season of distress like the present, must force them to leave their places unless they carried it. This must be their course, not merely as matter of taste and feeling, but of common prudence also.—It would have been much better for the purpose of the right hon. gentleman to have met his proposition with a direct negative; because then, if his opposition had been successful, it would have carried with it an impression of the incapacity of ministers, an impression which the right hon. gentleman was so anxious to make on the public mind. The choice would then have been between the present administration, with three millions of additional taxes, and an administration composed of the gentlemen opposite without any new taxes; and thus something would have been thrown into the scale on their side. But the right hon. gentleman had cautiously avoided holding out any prospect to the country, that if he were in office he would not be disposed to increase the taxes; he had guarded himself to this effect in the beginning, in the middle, and at the end of his speech.—"I am not against the taxes, I only do not wish them to be laid on at this time. In the heat of June, with long debates and late houses, I am not able to take office; but in the cool of February next, if I can get into office by that time, I shall have no objection to vote the taxes which I now refuse." The House knew, when gentlemen came into power from the other side, on what sweeping principles they acted; and he thought it not improbable that if such a change were to take place, those who were now satisfied with three millions of taxes, might hear a proposition for raising five millions. The right hon. gentleman should rather have said that he would have no taxes at all, and then as a non-taxing minister he might have had some claim to popularity. The right hon. gentleman feeling himself pressed to say something about retrenchment, had given it as his opinion, that a saving of 1,000,000*l.* might be effected by a system of economy in every department; but although a variety of measures for the reduction of the expenditure had been discussed, he could not see any thing approaching nearly to 1,000,000*l.* in all the proposals for retrenchment which had been made by the gentlemen opposite. He recollected, indeed, that a plan for retrenchment in the collection of the revenue had been suggested on the other side; but strait was the path, and narrow was the way that led to this desirable object. In this Thermopylæ were planted 300 surveyors, and over their dead bodies must the way to this retrenchment be forced. The principle on which the present measure was founded was, that in order to enable the country to emerge from its internal difficulties, and to present an external front to Europe, it was necessary to have a surplus revenue operating as a sinking fund. He was not competent to discuss the principle of a borrowing sinking fund; but he was convinced of the necessity of an absolute surplus to do the business of such a fund. He was bound to give every member of that House credit for rectitude of motives; but if he had at an earlier part of the session accused the right hon. gentleman of that inconsistency of which, on his own confession, he now stood convicted——

Mr. *Calcraft* here rose to order. He could not listen in silence to the foul, offensive, and unparliamentary aspersions which the right hon. gentleman had passed on his right hon. friend, and on all around him. His hon. friends had all stated that the country was at present in such a situation that it could not bear any additional taxation; they said, that they were not against taxation, but that they wished the measure to be postponed. And was there any thing so shocking in this, as to warrant the epithets which had been applied to them by the right hon. gentleman?

Mr. *Canning* thought that in debate there was tolerably fair room to give and to take. Whenever the terms "indecent and atrocious," which had been applied to this proposal, were retracted, then, and not till then, should he retract the epithets which he had applied to the conduct of the gentlemen opposite.

Mr. *Calcraft* went on. He had nothing to do with any other persons expressions. If his right hon. friend thought those epithets applicable to the measure before the House, he had a right to use them. He would briefly state his view of the question. It might perhaps be said, that he was one of those who had goaded the administration on to the present disclosure of the state of the country; but, admitting that he had urged the necessity of an inquiry, where was the pledge on his part, that he would support the measures that might be proposed for meeting the exigencies of the state? They were all agreed in their desire to meet these exigencies; but it was remarkable that not one of the gentlemen opposite had looked to the internal state of the country, to the petitions on their table, or to the distress of which these petitions complained. They only looked to the country as a subject of taxation; but he looked at the state of the people, and must say, that this was not a time for imposing fresh taxes. He had, God knew, no more confidence than his right hon. friend in the present administration; but if by the beginning of nest session, he should find the country in a better situation, he would agree to support the present administration in imposing additional taxes. He repeated, that it was solely on account of the internal state of the country that he opposed the measure at present. And was this a cause for the taunts of the right hon. gentleman? Did he think that his own recent conduct was forgotten? that it was not recollected how he had reprobated the gentlemen by whom he was now surrounded; how he had lampooned the friends on one side of him, and betrayed those on the other? Topics enough occurred to him, which, if followed up, would recall recollections that would make the right hon. gentleman repent his attack. He, indeed, of all persons, to make such an attack!—To charge others with inconsistent, cowardly, and shuffling conduct! He might be a splendid orator, but he showed in this that he had not much judgment.

Mr. *Macdonald* begged the attention of the House for a few moments. Of such members as were in the last parliament, he would ask whether they had not seen ministers at the beginning of the peace sit down without any regular plan of economy? Whether they had not seen them oppose the first motions of retrenchment, and whether they did not seem determined to suffer the country to groan under the heavy pressure of a war establishment in time of peace?—a system with which they would have continued, had they not been deterred from it by the strong voice of the public opinion without doors, and by the honest vigilance of those who strove to give effect to that public opinion within. Those members who had sat in the last session could never forget, what was the kind of retrenchment which ministers had thought fit to recommend. They began by an attempt to cut away from the poor pensioners. They wished to pare away the humble mite of the widow, in order to aid the labouring treasury. But the House had honestly interfered, and prevented this ungenerous and unjust attempt. The poor widow was considered to be the fit object from whose scanty stipend some paltry savings were to be made. She was to suffer because she could only complain; but if it was proposed to remove any of the large incumbrances on the public purse—if it was desired to touch one of those golden baits which were held out for veering politicians—if any of these were proposed to be touched, then it was said, the state would be undone—the public business could not be carried on.

The committee divided—

For the original motion, 329. For the amendment, 132:—Majority, 197.

The resolutions were then agreed to.

## *List of the Minority.*

Abercromby, hon. J.
Allen, J. H.
Althorp, vis.
Aubrey, sir John
Buxton, T. F.
Barham, Jos.
Baring, sir Thos.
Barnard, vis.
Barnett, J.
Belgrave, visc.

Bernal, Ralph
Bennet, hon. H. G.
Benyon, B.
Birch, J.
Brand, hon. T.
Browne, Dom.
Brougham, Henry
Burdett, sir F.
Burrell, hon. P. D.
Calvert, N.
Crawley, Saml.
Cotes, John
Calcraft, John
Calvert, C.
Campbell, hon. J.
Carter, John
Cavendish, lord G.
Cavendish, Henry
Clifford, Aug.
Colborne, N. R.
Concannon, Lucius
Crespigny, sir W. De
Davies, T. H.
Denman, Thos.
Denison, W.
Douglas, hon. F. S.
Duncannon, vis.
Dundas, hon. L.
Dundas, hon. G.
Dundas, C.
Ebrington, vis.
Euston, earl of
Ellice, E.
Fremantle, W.
Fazakerley, Nic.
Fellowes, hon. N.
Fergusson, sir R. C.
Fitzgerald, lord W.
Fitzroy, lord C.
Fitzgerald, M.
Folkestone, vis.
Grant, J. P.
Gordon, Robt.
Graham, Sandford
Grenfell, Pascoe
Griffith, J. W.
Guise, sir Wm.
Gurney, R. H.
Harcourt, J.
Hamilton, lord A.
Harvey, D. W.
Heathcote, sir G.
Hill, lord A.
Honywood, W. P.
Howorth H.
Hughes, W. L.
Hume, Jos.
Hutchinson, hn. C. H.
Knox, hon. T.
Lambton, J. G.
Langton, W. G.
Latouche, J.
Latouche, R.
Lefevre, C. S.
Lemon, sir Wm.
Longman, G.
Lloyd, sir E.
Lloyd, J. M.
Mahon, hon. S.
Maberly, John
Maberly, W. L.
Macleod, Rod.
Macdonald, J.
Mackintosh, sir J.
Milton, vis.
Martin, J.
Mills, George
Mildmay, P. St. John
Monck, sir C.
Moore, Peter
Newman, R. W.
Newport, sir J.
North, Dudley
Ord, Wm.
Osborne, lord F.
Phillimore, J.
Portman, E. B.
Palmer, C. F.
Pares, Thomas
Parnell, sir H.
Peirse, H.
Philips, George
Philips, Geo. jun.
Phillips, C. M.
Ponsonby, hon. F. C.
Powlett, hon. W.
Prittie, hon. F. A.
Pryse, Pryse
Ramsbottom, John
Rickford, Wm.
Ricardo, D.
Ramsden, J. C.
Rancliffe, lord
Ridley, sir M. W.
Robarts, A.
Robarts, W. T.
Russell, lord G. W.
Russell, lord J.
Russell, R. G.
Rumbold, C.
Scarlett, J.
Sefton, earl of
Smith, hon. R.
Smith, Wm.
Smith, Saml.
Smyth, J. H.
Spencer, lord R.
Stanley, lord
Stewart, Wm.
Symonds, J. P.
Thorp, alderman
Tierney, rt. hon. G.
Waithman, ald.
Walpole, hon. G.
Webbe, Ed.
Webster, sir G.
Western, C. C.
Wilkins, Walter
Williams, Owen
Wilson, sir R.
Wood, Matthew
Wynn, C. W.
Wynn, sir W. W.

| TELLER. | PAIRED OFF. |
|---|---|
| Lamb, hon. W. | Lamb, G. |
| | Anson, G. |
| | Stuart, lord J. |

## HOUSE OF COMMONS.

*Tuesday, June 8.*

STEAM ENGINES.] Mr. *M. A. Taylor* said, that Steam-engines were at present so numerous in many places, that the smoke which issued from them clouded the atmosphere, and endangered the lives of his majesty's liege subjects. To prevent these consequences, he wished the legislature to compel them to consume their own smoke. He had made inquiries of those who were best capable of judging whether or not this was practicable, and all the artists whom he had consulted agreed in thinking it might be easily accomplished. All lawyers considered the evil which he was now desirous of remedying as a nuisance, and an indictable offence; and in a late trial before Mr. Justice Bayley, the Court had held it to be incumbent on the defendant to show, that he had used all the means in his power to prevent the nuisance complained of. His motion was, "That a select committee be appointed to inquire how far it may be practicable to compel persons using Steam Engines to erect them in a manner less prejudicial to public health and public comfort." If the motion were agreed to, it was his intention to examine artists on the practicability of the plan which he had in view; and then to move that the report be printed, in order to have it circulated during the recess. Should he succeed in convincing the committee of the benefits that would result from the adoption of his plan, he would, if he lived to see another session, move for leave to bring in a bill to carry the recommendation of the committee into effect.

Mr. *Curwen* thought the plan of his hon. friend would be productive of the greatest benefit to the public, and that it only wanted publicity to ensure its general adoption.

The motion was then agreed to.

SLAVE-REGISTRY BILL.] Mr. *Goulburn* in a committee of the whole House, rose to state the object of the bill which he proposed to introduce, to be the prevention of illicit slave trading by means of a Register of the Slaves in the West Indies.

So far as the sense of the House had been ascertained on this subject when the bill of his hon. friend (Mr. Wilberforce) was under discussion, no objection had been made to the principles of the measure; all the objections offered had been against the details. One great argument urged in favour of the measure was, the extent to which illicit commerce in slaves had been carried. He did not place it upon that ground. He did not believe that the laws respecting the slave trade were generally transgressed. Some instances of violation undoubtedly occurred, but the practice did not generally prevail. The proof adduced to show the extent of illicit trade was, the number of slaves found at one period in some of the islands above the number at a former period. The difference, he was of opinion, had arisen from the superior accuracy of the latter enumeration. A similar increase of numbers, beyond any actual increase of population, was observable in our own census. It had been stated, that 5,700 slaves had been imported into Trinidad in the course of two years. If so many slaves had really been imported, it was impossible but some captures should have been made. He was confirmed in his opinion on this point by the state of others of our colonies. There was the greatest difficulty of introducing slaves into Barbadoes, as it was the great naval station for the West Indies; the island was besides so fully supplied, that there was no inducement for introducing slaves; yet, it was said to have had 9,336 more slaves at one period than it had had two years before. The number, too, of African slaves in the island of Barbadoes, at the latter period, was 5,496; so that, if a real increase of 9,336 had taken place, slaves born in the island must have been imported. Still, he considered it of importance to the character of the West Indies, and to our own character, that there should be a registration of the slaves. Our purity and innocence ought to be placed on record. Viewing the trade in slaves as a blot upon the national character, he could not think that any obstruction should be thrown in the way of the proposed measure. If the House could not annihilate the trade, they ought at least to do all in their power. The plan to be proposed was, that there should be an office in this country, in which duplicates should be lodged of the number of slaves in each colony; that an individual should be appointed for its superintendence; and that power of reference to the duplicates in this office should be given to all parties. On the removal of slaves from one colony to another, certificates were to be given to that effect, and precautions adopted to prevent abuses of the permission given by the act 46th of the king to slaves to accompany their masters from one colony to another. His bill would be more restricted than the bill of his hon. friend, but the cause was, that the colonial legislatures had made it unnecessary to pass a more extended law. He concluded by moving, That the chairman do ask leave to bring in the bill.

Mr. *Wilberforce* said, that it could not be supposed that he rose to object to the motion. One material part of the bill which he had himself proposed was comprehended in this measure. He could better judge of the details when he should see the bill. One thing he was ready to contend, and he believed it would be conceded to him, that registration was necessary to afford assurance that there was no illicit trade carried on. In vain had we passed the acts against the slave trade, unless we followed it up by measures like the present. He trusted that the French would follow our example. That great and generous nation would not, he trusted, suffer their banners to be polluted by this foul traffic. We were looking forward with earnest expectation to the time when no nation on the face of the earth would afford protection or encouragement to the trade in human beings. But far short of this were we at present. Not less than 50,000 slaves were stated to have been imported to the Havannah in the course of the last two years. The bill which he had introduced made the slave illegally imported free, because he was considered as involuntarily a slave. The hon. gentleman was mistaken if he supposed that the intention had been to give them nominal freedom without providing for their future protection. But whatever delay might be interposed in giving them freedom, he hoped those emancipated would be really taken care of. He trusted, that every island would either have a register, or not be allowed to carry any slave into it. If this measure should be carried into effect, and be accompanied with the good-will of the colonies, he should rejoice.

Mr. *R. Gordon* warmly remonstrated against the establishment of a new office for carrying the object of the bill into effect. An additional clerk to that third secretary of state's office, which already cost the public 29,000*l.* a year, would be quite sufficient for the purposes of the measure. Instead of which, it was proposed to create a number of fees, upon each registry, and that the overplus, after paying the new officers, should be carried to the credit of the civil list. Now, after what had recently transpired in the House, he thought that it was too much to establish a new and expensive office, with fresh patronage to the Crown.

Mr. *Marryat* did not mean to oppose the bill, because he thought the registry of slaves would be attended with beneficial results; but he agreed with the hon. member, that there was no necessity for the introduction of a large and expensive establishment in this country to produce those good effects. That it was intended to be an expensive one would be seen from the clause which provides that the principal officer in it should not have a seat in the House. The very introduction of the clause showed, that the person to be chosen must be highly respectable. As to the trouble which the establishment of the registry might give in this country, he conceived that if any gentleman in the colonial office, would devote two hours of two days in the week, he would do all that was necessary.

Lord *Milton* agreed, that some decisive step should be taken for the effectual abolition of the slave trade; and if a registry in this country could tend to that great object, it ought to be adopted. This duty was the more imperative upon England, as by many nations on the continent her motives were suspected in this business.

Leave was given to bring in the bill.

RESOLUTIONS RELATING TO THE PUBLIC INCOME AND EXPENDITURE.] Mr. Brogden brought up the report of the Resolutions relating to the Public Income and Expenditure. On the question, that the first resolution be agreed to,

Mr. *Curwen* rose. He did not mean to object that some measures for providing for the deficiency of income should be adopted; but he felt great distrust in those which proceeded from the noble lord opposite and his colleagues. He had heard in the commencement of the session, a long account from the noble lord of the flourishing state of the country; but he had since found, that the reverse of the picture was unfortunately true. He could not, therefore, give to the noble lord and his colleagues that credit for the present measure which they claimed. After all the petitions which had poured in from various parts of the country, describing the general distress, could they be ignorant of the real situation of the country? Ought they not to see that this was not a time for laying on new taxes? In fact, the situation of the country was worse at the present moment than when it was paying an income and a malt tax. The wages of labour were reduced one-third in consequence of the decrease in the consumption and value of our manufactures. In the city of Carlisle, there were not less than 4,000 persons who, by the hardest labour of 14 hours per day, could not earn more than 5*s.* 9*d.* per week. The situation of many other parts of the country was not much better. Was this, then, the time for the imposition of new taxes? If the country could afford it, he would not be one to object; but the fact was, it was not able to pay those already imposed, as might be seen from the very great difficulty in their collection. The malt-tax he condemned, as tending to decrease the use of malt liquor, and thereby giving an inducement to the lower orders to resort to the consumption of spirits. By the proposed tax on wool, a material injury would be done to a very important branch of our manufacture. The effect of both would be, to create greater evils in the country than those which they were intended to prevent. Could any man look at the present situation of our revenue, and see the many useless situations which were paid for under the head of its collection, and say that the economy was observed by ministers which the distresses of the nation required? Collectors, with large salaries, and whose duties were performed by deputies, were kept up, in order to support the patronage of government, and the people were pressed to their last farthing to support this unnecessary extravagance. Had a system of economy been commenced at an earlier period, we should have seen a disposition in the country to make the greatest sacrifices. He must once more repeat his decided opposition to the resolutions.

Sir *H. Parnell* contended, in opposition to what had been advanced by the noble lord, that the present resolutions were a perfect departure from the financial system of Mr. Pitt. For if the system of Mr. Pitt had succeeded, we should now have a sinking fund of 21 millions, and a peace establishment supported without the aid of war taxes. In place of this being the case, we had a sinking fund of two millions and seven millions of war taxes. So that it was not to be disputed, that there was a complete financial failure of the sinking fund system. He believed that during the war, the system of expenditure had been carried to a greater extent than the exigencies of the war required. Several millions a year were unnecessarily wasted. In the ordnance department, for instance, nine millions had been wasted in works which had never been applied to any use. If the House had not interfered, and repealed the property tax, they would never have seen any of those retrenchments, for which the noble lord took credit. Whether the reductions could be carried farther was a question, that admitted of no difficulty. Without the sacrifice of a considerable degree of the patronage of the Crown, it was vain to expect any farther reduction; but the state of the country required a more extensive sacrifice of patronage, and a greater innovation in the whole system of carrying on the government, than might have been justifiable under other circumstances. If we persisted in adhering to all the old forms, it was absurd to suppose that any considerable degree of retrenchment could take place. In the collection of the revenue there was great room for improvement. With respect to the different public offices, there was hardly any one branch of any one department which was not faulty, in the manner in which accounts were kept. The mercantile system was no where in use; the consequence was, great delay and great inequality, and many more clerks being employed, and much more expense incurred than otherwise would be necessary. There was the most complete evidence of this in the 5th report in 1810. The forms of office, too, were tedious and expensive. In the Customs, a man was occupied a day with what ought not to occupy an hour. The laws regulating the collection of the revenue were full of inconsistencies and minute arrangements, which gave rise to much difficulty and expense; and this was particularly the case with respect to those parts of them which related to protecting duties, bounties and drawbacks. The various boards, too, would admit of great reform; for a much smaller number of commissioners and boards might be sufficient. There were no less than 64 commissioners in the several boards of England, Ireland, and Scotland for collecting the ordinary revenue. The principle of consolidation of boards might be carried into effect with great benefit to the public service. Why might not Ireland and Scotland be placed under the superintendence of the boards here, just as well as the whole superintendence of the revenue was placed under one board of treasury? He believed this would not only be more economical, but, from the superior manner in which business was conducted here, of great advantage in other respects. If they were to look also to what they were voting and paying every year for the proper application of the public money, they would also find great room for retrenchment. The treasury board alone cost 90,000*l.* It appeared from the report already alluded to, that the exchequer forms were useless and inconvenient; that accounts were kept in a character difficult to understand, and by which the operation of summing them was impossible. It was an abridgment of old Latin. There was no character to express a million, and it was wholly unintelligible except to a few clerks, till translated by others. This was in itself a source of useless expense. In the public departments of the navy, army, and ordnance, there was great room for retrenchment. In many departments the salary was as high now as in the war. From the confused manner in which accounts were kept, the audit of them became necessarily expensive—the audit office cost the country 53,000*l.* a year. The sum of 1,200,000*l.* was paid merely in order to take care of the public money after it came into the exchequer. If the right hon. gentleman had been sincerely actuated by the spirit of the last resolution proposed by him, he would soon be able to effect a considerable reduction in our expenditure. Another branch of the expenditure which admitted of considerable reduction was, the civil government of the country. The foreign department cost 63,000*l.* The home department cost 32,000*l.* a year. The colonial department 28,000*l.* The privy council 27,000*l.* The expenses of the lord lieutenant of Ireland 100,000*l.*, making in all 250,000*l.* a year. From his knowledge of Ireland, he would say, that the executive government of that country might be carried on much better on cheaper principles. Though great improvements had taken place under the gentleman who lately filled the office of chief secretary (Mr. Peel), there was still great room for retrenchment. A great deal of the old system of the Irish castle government still remained, and the sooner it was wholly abolished the better it would be, not only for the public good, but for more easily governing the country, and even making the patronage of it more useful to the Crown. Many of the bounties paid in Ireland were quite unnecessary. There was no need, for instance, of 50,000*l.* for bounties to a manufacture so well established as that of the linen manufacture. There were 3 millions paid by this country, on account of Ireland. The cause of this had been attributed to a mistake in settling the quotas of contribution at the time of the union. This however would not prove to be the case, if the matter was fully investigated. For the expenditure of Ireland amounted to the full quota of her contribution, or very nearly to it. The financial difficulties of Ireland existed at the time of the union, and, lord Clare in his printed speech on that question positively denies that they had been occasioned by the war, as some supposed, and wholly set them down to what he called a war against our own people. He fully made out his case, and showed that the military establishment which had occasioned the debt to advance so rapidly from 1795 to 1800, was the result of the Irish rebellion; or in his own language to those measures which had become necessary "to put down the brutal Irish." This was a useful illustration to show the effects of governing Ireland by resisting the wishes and rights of the people. If lord Fitzwilliam had been allowed to conciliate their affections to the state, England would not now be paying 3 millions a year on account of the Irish debt. This was the effect of taking an opposite course, and of keeping down the people with a large army. If Ireland had been governed on wise principles, that expense might have been saved. He protested against the imposition of new taxes at the present moment, arguing that they would not prove productive, and that the revenues of the country ought to be allowed time to recover.

Mr. *P. Moore* commenced by an affecting detail of the miseries to which the manufacturing people of England were reduced: he said, that skilful tradesmen belonging to the place which he represented, worked for hours for a few farthings. He asked, were the ministers of the Crown acquainted with the state of the country? If they were, if they really knew the state of distress and wretchedness to which the people were reduced, they were most criminal in proposing additional taxes; if, on the other hand, they were not acquainted with the state of the country, they were still more criminal not to have informed themselves of that important fact, before they proposed to place three millions of additional taxes on the necks of a people already groaning under burthens which they were no longer able to bear. The true mode of reducing the debt would be by purchasing when the funds were low; but ministers adopted a contrary principle. In various operations during the war, had this principle been pursued, there would have been saved a sum equal to one-fourth of the national debt. He could not consent to the infliction of any new taxes, until he should see the ministers sincerely disposed to relieve the distresses of the people.

Mr. *Hume* doubted much whether the surplus so much spoken of really amounted to two millions; he apprehended it would be found to fall 500,000*l.* short of that amount. The country had certainly to thank ministers even for this tardy avowal of the condition of its finances; but if taxes were to be accumulated upon taxes in the way proposed, it would have little to thank them for on the score of economy. It ought not to be forgotten, too, that the new imposts almost exclusively pressed upon the lower orders. Rather than vote for them, he would willingly have consented to a property-tax, by which the rich proprietors of the country would be compelled to contribute their fair proportion. It had been objected, that no particular branch of expenditure had been shown to be exorbitant, but he insisted that they were all too enormous; and if ministers had been sincere in their professions, they would have done more, and promised less; promises would not relieve the starving manufacturers of Carlisle or of Coventry. If ministers wanted information where to begin their retrenchments, he would refer them to the finance report of 1817, where the committee recommend that steps should be taken to enable our newly-acquired colonies to support their own expenditure. Had government made any such attempt? Unquestionably not; and in the colonial estimates no less than 67,000*l.* was voted in one mass to general Brownrigg for Ceylon, and 48,000*l.* to governor Farquhar, at the Mauritius. In the whole, nearly a million was disposed of without the slightest attempt at specification. The same remark would apply to the Ionian islands, and if ministers had been so anxious to stick to the letter of the treaty with Spain, why had they not stuck to the letter of the treaty regarding the Ionian islands. The immense civil list ought instantly to be diminished from 1,200,000*l.* to 900,000*l.*; and if sacrifices were required from the people, they ought first to be made by the Prince. The higher the station, the more bound was the person filling it to set an example to the rest of the country. Instead of that, a military mania prevailed that cost the kingdom incalculable sums; bands trapped in scarlet and gold were daily paraded about the streets, as if to mock the squalid poverty of the lower orders [laughter from the ministerial benches]. Ministers might laugh, but let them look at the other side of the picture; let them survey the misery of the poor laborious industrious wretches at Carlisle, or even of the unhappy beings they met in our streets. The right hon. the member for Liverpool (Mr. Canning) had taunted the right hon. member on the floor (Mr. Tierney) for stating that a reduction of 1,000,000*l.* in the public expenditure might be made, and had told the House, in a sarcastic and ironical manner, that 2,000*l.* from the lords of the admiralty, and 6,000*l.* from a secretary of state, had been pointed out for retrenchment, making the large sum of 8,000*l.*; and that only 992,000*l.* remained to make up the million. He regretted, that that right hon. gentleman was not present, as he had last night ridiculed the idea of economy, and had, in a most unwarrantable manner, talked of the puny savings of a few six shillings and eightpences. But let that and other hon. gentlemen consider what support and assistance even such small sums would afford to respectable and industrious families, who could not at the time obtain so much wages for a whole week of hard labour. It could not be alleged that the right hon. member was ignorant of those facts, as the petitions on the table from the workmen of Carlisle, Coventry, and Perth, described in strong language the distress of those poor and suffering wretches. He (Mr. Hume) could not detach his feelings from the condition of thousands now under the greatest sufferings in every district of this country, particularly when he thought that many of those now suffering penury and want with their families, were perhaps born with as good prospects in life as himself or the right hon. gentleman. Gold lace and gorgeous trappings added nothing to the British character; economy was what was needed—strict, undeviating economy; and instead of it, waste and expenditure ran riot in all departments. Look at the office of commander in chief: would any man believe that we were paying 16 guineas a day to an individual for filling an office which was wholly useless? The income of that royal duke was scarcely less than 100,000*l.* per annum. The expenses of the Mint and of the Woods and Forests ought also to be reduced: the latter was not of the slightest use, and he hoped to live to see the day when even the pretence of necessity was taken away, by the sale of all the Crown lands, which cost the nation far more than they were worth. When ministers talked of economy why did they not begin themselves by making sacrifices? why was the example of the noble marquis (Camden) still solitary? In the staff of the army only, 50,000*l.* might be saved; in the ordnance department 30,000*l.* and in the army extraordinaries no less than 150,000*l.*, without the slightest danger to the great interests of the state. The navy he did propose to diminish, though it cost 6 millions for only 20,000 men, because the greater part was expended upon place and patronage. One great source of charge to the nation was, the mode in which stamps were distributed. In all cases much more was paid to the distributors than they merited. In Aberdeen, the distributor was paid 1,400*l.* to do that which hundreds would gladly undertake for 300*l.* In truth, the profit upon stamps was 10 per cent; so that no salary at all ought to be allowed. He perfectly agreed in the propriety of applying 5 or even 8 millions to the sinking fund; but he was much averse to the imposition of three millions of taxes, in the present distressed state of the country. For the reasons he had stated, if no other member proposed an amendment to the last resolution, he should himself divide the House upon it.

Mr. *Primrose* said, that, however anxious he might be for retrenchment in every quarter, yet he was not prepared to go the length of rejecting the measure proposed altogether. Whatever economical arrangements were made, they ought to be upon such a principle as would go hand in hand with the proposition of the chancellor of the exchequer. The sum of 5 millions had been proposed as a sinking fund, and he confessed that he was anxious that even a larger sum should be applied for that purpose. The only true sinking fund would be formed when the income exceeded the expenditure. He thought no man would maintain that with a debt of 800 millions, the sum of five millions was too much to be devoted to its reduction. With respect to the taxes themselves, he objected to, particularly, the tax upon malt; and he thought that a tax might be imposed upon the importation of foreign corn, from whence the agricultural interest might derive great advantages. This might, perhaps, he said to be favouring too much the landed proprietor, but he always had considered that the interests of the fundholder and the landholder were so intimately connected, that in supporting the one, the other was sure to be benefitted.

Mr. *D. W. Harvey* opposed the Resolutions. This was not the period for adding to the burthens of the country. If it was deemed necessary to add to the sinking fund, let it be done by reducing the expenditure of the country. It was the fashion at present to propose reductions; he would therefore recommend the curtailment of the enormous expense incurred to the country by prosecutions for offences against the Excise laws. At present, five barristers were engaged on the part of the Crown in each case. Taking this expense at an average of 40*l.*, it would amount to about 24,000*l.* a year, which sum might be saved to the country. If every gentleman would propose a reduction which could fairly be made to a similar amount, there would be no need of additional taxation. Until such reductions were made, he should oppose every attempt to increase the burthens of the people.

Mr. Alderman *Waithman* objected to the imposition of even a shilling, in the shape of new taxes upon the people. The real question to be considered was, not what ought to be the amount of the sinking fund, for whether it was to be five millions or ten millions signified little; but was the country now in a state to bear these taxes? The minister had been unable to make a loan to the extent he wished for, and had recourse to the sinking fund. To this expedient he had been driven, and he would find, ultimately, to his astonishment, that although the taxes were increased, the revenue would be grievously diminished. The malt-tax, the tax from whence the largest revenue was to be derived, he had the greatest objection to, as it would weigh the heaviest upon the poorer classes of the community. The chancellor of the exchequer had complained of the frauds of the brewer upon the public; but he begged the House to mark the course which the right hon. gentleman had taken; he had indeed complained of these practices, but had not expressed the least objection to participate in the profits thus derived by the brewer. "No," said the right hon. gentleman, "the public shall not be robbed without my having a hand in it." So that, if the brewer had acted honestly, the public must be content to pay an additional price for the beer; but if he had acted dishonestly, then the chancellor of the exchequer would participate in the profits. With respect to the tax on wool, he had also a strong objection to it, because the evident tendency of it would be, to drive this most important manufacture out of the country, and thus throw thousands of individuals out of employ. By a reference to the returns before the House, it would be seen that the amount of woollen goods exported was upwards of 9 millions per annum, while the amount of the importation of the raw material did not reach to above half that sum. Another effect of the imposition of the new taxes would be, and it was one of much importance in its consequences, to send out of the country many thousands who either were not able to pay, or would not pay the taxes. The greater part of those, however, who thus fled their own country, were the very men who lived upon taxation, and who having imposed fresh burthens upon a starving people, retired to enjoy themselves in a foreign country. These were not subjects to be treated in a sportive manner, and it would become his majesty's ministers to deal in something more than generalities when they called upon the House to impose fresh burthens on the country. They might talk of their majorities, and boast of their influence elsewhere; but he was one of those who thought the Prince Regent would have little difficulty in finding successors for them, and that too for the advantage of the country. If no other hon. member would do it, he would himself move for a committee, composed neither of placemen nor pensioners, to inquire whether it was possible by retrenchment to avoid laying taxes on the people. Sent there as he was, freely and without expense, by the metropolis of the British empire, he entered, in the name of his constituents, his protest against and declared his abhorrence of this attempt to lay new burthens on the people. Nor would he vote a single sixpence until it was made manifest that the country had no resource in economy [Hear, hear!].

The first resolution was agreed to. On the second resolution being put,

Sir *J. Newport* observed, that from the wording of this resolution, a censure was passed, and would be conveyed to posterity, upon the whole Irish nation. Ireland had contributed her full share to the heavy demands that had been made on the united kingdom. In propotion to her capacity to pay, she had been taxed more severely than Great Britain. It was stated in a report of the finance committee, that, large as was the increase in the revenue of Great Britain, that of Ireland had increased in a greater proportion. Justice to Ireland required that so unqualified a declaration should not be put upon the journals of the House. He proposed, therefore, as an amendment, that it should be stated what was the amount of supplies actually raised, and what the efforts had been which Ireland had made since the legislative union of the two countries. It was no satisfactory answer to tell him that such a statement would contain a mere truism; it was right that the whole truth should be distinctly avowed. Ireland had shed her best blood, and sustained the heaviest pressure of taxation, in support of the common cause; her incapacity to bear more taxes could only be attributed with truth to oppression and misgovernment. With these views he should propose the addition of the following words: — "notwithstanding there had been raised by taxes on the people of Ireland, and paid into the exchequer, within the period which elapsed between the union of the kingdoms and the consolidation of the treasuries, the sum of 60,125,000*l.*, being an annual average of 3,750,000*l.* raised by tax, and exceeding the annual average of twelve years preceding the union, which was 1,344,000*l.*, in the sum of 2,400,000*l.* net revenue."

The *Chancellor of the Exchequer* thought the proposition of the right hon. baronet might be objected to without any discussion of the truth of the facts which it set forth. Admitting the correctness of the statement, it would be foreign to the present question to enter into an inquiry as to the cause which had produced such a result. A load of debt existed which must be provided for, and he trusted that neither himself nor the House were disposed to treat Ireland with injustice. He knew how to estimate at their proper value the exertions which Ireland had made during the war; but this was not a fit occasion for entering into a general discussion of the subject of Irish finance.

Sir *J. Newport* said, his object in moving the amendment was, to vindicate Ireland from the libel which was contained in the resolution.

The amendment was negatived and the resolution agreed to; as were also the 3rd 4th and 5th. On the 6th resolution being put, viz. "That to provide for the exigencies of the public service, to make such progressive reduction of the national debt, as may adequately support public credit, and to afford to the country a prospect of future relief from a part of its present burthens, it is absolutely necessary that there should be a clear surplus of the income of the country, beyond the expenditure, of not less than 5,000,000*l.* and that, with a view to the attainment of this important object, it is expedient, now to increase the income of the country by the imposition of taxes to the amount of 3,000,000*l.* per annum,"

Sir *M. W. Ridley* said, he should not be doing justice to his constituents, if he did not express his dissent to the present proposition. The noble lord had asked for confidence and accused a part of the House of not acting with openness and candour. He, for one, could not entertain that confidence in his majesty's ministers which would induce him to place in their hands a larger disposable revenue. What was the opinion which a retrospect of their conduct was calculated to suggest? They had been compelled most reluctantly to abandon the property tax, and to reduce the army estimates. The whole system of their administration might be judged of by these instances. That general distress prevailed was not denied; but the right hon. gentleman, nothwithstanding, proposed three millions of taxes on articles of the most general consumption. He believed the calculation of their amount was fallacious. The duty on tea might be called a regulation, but it would not fail of raising the price. It was, too, a singular period for imposing a new tax on tobacco, for the price of it was already high, and the supply of it from America very scanty. The right hon. gentleman was determined to pursue the labourer through all his enjoyments; he began by taxing beer, then spirituous liquors, then tea, and at last the quid of tobacco. It was premature to impose any taxes till the effects of the resumption of cash-payments upon the prices of all articles should be seen. He was one of those who entertained no very high opinion of the utility of the sinking fund, and he believed it would not be long before some change would take place in the public mind respecting it. He should move by way of amendment to leave out from the word "that" to the end of the resolution, in order to add these words, "with such an estimated surplus applicable to the reduction of the national debt, it is not expedient at this time, in the present distressed state of the country, and until every practicable retrenchment has been made in the national expenditure, to add to the burthens of the people by the imposition of new taxes," instead thereof.

The *Chancellor of the Exchequer* said, the course adopted by the hon. baronet was certainly a more fair and open one than that which was taken on the preceding evening, by the gentlemen opposite. His amendment went to negative directly all that had previously been agreed to, and appeared on the Journals. Indeed, the effect of it would be, to declare, that the finances of the country were in such a state as did not require any remedy or alteration. It went, in fact, further. It declared that the people ought to be satisfied with their present situation, and that no improvement was necessary—[Hear, hear!]. It certainly did convey that idea, except so far as a remedy for distress could be devised by economy and retrenchment. Now, so far were he and his hon. colleagues from shrinking from a system of economy, that he had, in the last resolution, embraced all that was useful in the hon. baronet's amendment on the score of retrenchment. Those gentlemen, who thought that parliament ought not to make an effort for the arrangement of the finances, and those only, would vote for the amendment.

Lord *Milton* remarked, that the right hon. gentleman appeared to confound the country with the revenue. The questions for the House to consider on this occasion were, first, whether the taxation proposed would serve to increase the revenue; and secondly, whether, if such increase would take place, which was problematical, it was wise to take so much of the capital of the country from the productive sources of industry, in order to put it into the hands of the exchequer? In his opinion, it would be much better to leave these three millions in the pockets of the people, than to apply them to the increase of the sinking fund, for the present he could by no means regard as a proper opportunity for such a proceeding, nor could he pretend to say when that opportunity would offer. The resolution of the right hon. gentleman with respect to economy, was not, it would be recollected among his original resolutions, and the motive for introducing it yesterday, could not be misunderstood. But, as the right hon. gentleman's resolution was a mere profession of economy, it could be easily appreciated by those who had any opportunity of judging of the sincerity of ministers upon that subject. He wished for a stronger pledge in favour of retrenchment and economy than that resolution contained, and therefore should vote for the amendment.

Mr. *Primrose* said, in explanation of what he had stated in the early part of the evening, and to avoid the charge of inconsistency that he would vote for the 3,000,000*l.* of new taxes now proposed in consideration of the object he had in view, that of increasing the sinking fund, if no other means could be devised for attaining that important end. The principle he conceived to be unexceptionable. The conduct for which he most censured his majesty's ministers was, their putting off for so great a length of time the question of the resumption of cash payments by the Bank, which had occasioned many of the evils that pressed so heavily on the country.

Mr. *J. P. Grant* said, that all that his hon. friend's amendment proposed to establish was, that for the satisfaction of the country, every practicable degree of retrenchment and economy should be adopted, and until that adoption was determined upon, he, for one could not agree to any additional taxation. Without entering into the question between those who disapproved of, and those who supported the system of a sinking fund, he would maintain that the present was not a favourable opportunity for augmenting our taxes, with a view to the creation or increase of such a fund. He would ask any person conversant in commerce, whether any article, for some time back exported, would bring the same price abroad for which it was purchased in this country? or whether any article imported could find sale here for the price at which it was purchased abroad? Combining, then, these circumstances with the melancholy state of our population, how could the present be deemed a fit season for the imposition of new taxes? Nothing was more absurd than to suppose that government could create wealth; for that resulted alone from the usefully employed labour of the people. But it was in the power of the government to transfer wealth from one class of the people to another; and the effect of the measure under consideration would be to transfer wealth from the industrious part of the community to the stock-holders, for whose advantage the new sinking fund was to be created. Upon the subject of a sinking fund, he was aware that both Mr. Pitt and Mr. Fox concurred; but neither, it was to be recollected, had had the advantage of experience. It was notorious, that ever since the adoption of Mr. Pitt's plan, the country never had had an efficient sinking fund. The only efficient sinking fund ever known in this country, was that established by sir Robert Walpole, and which amounted to 1,200,000*l.* Here the learned member read extracts from pamphlets published by sir Robert Walpole, and Mr. Pulteney to show the important operation of a real sinking fund both concurring in the opinion, that the effect of such a fund would be rather to indispose the public creditor to press for the payment of his debt. Such, indeed, was the fact at the time those pamphlets were published in 1733, as appeared from the provisions of the South Sea company, and other claimants upon the public purse. But no such consequence had ever followed from the sinking fund established by Mr. Pitt, and with regard to the merit of which, he was authorised to state, that Mr. Fox had declared elsewhere a decided change of opinion. However, as to the principle of a sinking fund, he would not now enter into any discussion, but he would caution the House against any vote of new taxes upon a mere chimera. He would have no objection to the creation of a real sinking fund, if it were practicable to establish such a thing. But he did not think the present a favourable occasion for the attempt; and therefore he could not consent to impose fresh burthens upon the country, amidst all its accumulated misfortunes, merely with a view to any problematical good.

Mr. *Callaghan* declared himself friendly to the principle of improving our income, and to the means proposed for that purpose. Those who had become the creditors of the state, on the understanding that the public debt should be reduced by a sinking fund, had a right to expect that the pledge given by the legislature for this purpose should be kept. In law and in equity they were entitled to the advantage of this fund, not in name but in reality. If he agreed, therefore, in the principle of increasing the efficiency of the sinking fund, he was no less friendly to the means by which it was to be done. The taxes proposed would most of them increase the income of the state without pressing on the consumer. The right hon. gentleman had proved this in the case of malt.

Mr. *Frankland Lewis* begged leave to state the grounds of the opinion on which his vote would be founded, as he had not had an opportunity of doing so last night. The vote of last night pledged the committee to a declaration, that it was now expedient to raise a fixed sum in taxes every year to pay off the public debt to a specific amount. In proposing this question, the first thing to be considered was, whether this or the following session was the best to determine on the arrangement of a permanent financial peace establishment. In the present session, the question of the currency ought, in his opinion, to have been settled, and that of the finance peace establishment left to the next. In this manner the arrangement of the one might have aided that of the other, and they could not have come into collision. But he was free to allow, that there were many and strong reasons against delay. The speculation that was going forward —the agitation about loans—the falling and rising of the public stock with every rumoured scheme of finance, and the consequent effect upon the property of every man in the nation, afforded strong grounds for coming to a decision as soon as possible, as they constituted evils of such magnitude that their removal could not be too soon attempted. As far, therefore, as the question of time was concerned, although he would have at first preferred the next session, he was not disposed to negative the resolution which fixed upon the present.—The next question was, should we have a real and effective sinking fund? The resolution did nothing but declare the fact on this subject; that we had properly no amount of sinking fund adequate to the reduction of our debt within any limited period, and that it would be proper to provide farther for a more rapid extinction of it. In this he was likewise disposed to concur. The third question was, as to the expediency of increasing the sinking fund by new taxes. It was necessary to provide a surplus revenue for this purpose; and he agreed that, though all taxes were an evil, there was no other mode of creating this surplus but by taxation. The only three modes of obtaining a sinking fund were—1st, reduction of expenditure by savings or retrenchments in our establishments: and this resource, though it had been carried to a considerable extent, was not pushed to its full limit; but even though it were, it would not produce the surplus necessary. 2. The increase in the produce of the taxes already imposed; this, likewise, appeared to offer no adequate resource. 3. A reduction of the amount of interest of the debt; but though this was contemplated in the report of the finance committee, by a conversion of the 5 per cents into a stock at a lower interest, it could not be looked to as a resource any more than the former. There was nothing left, then, but new taxes. The only question that remained was, what ought to be their amount? The resolution stated them at 3, thus making a sinking fund of 5 millions; but though he had listened last night to all the speakers on the opposite side, he could not learn the reason for fixing upon this exact sum. He would not at present enter minutely into the subject, but he would refer to the precedent of 1786, as a ground for his opinion, that new taxes ought only to be imposed to the amount of two millions, making a real efficient sinking fund of 4 millions. The interest of the debt was then 9 millions, and the sinking fund 1 million; the interest was now 29 millions, and a sinking fund of 4 millions would bear the like proportion to the debt.

Mr. *Abercromby* wished that the question of the currency had been settled this year, and the peace finance establishment with new taxes reserved for the next. Some embarrassment would be felt, as was contemplated by the secret committee, in the return to cash payments; and coupled with the new taxes, it would be impossible to separate the effects of the two measures, and to assign to each its due share in causing the pressure. In addition to this, it was to be recollected, that the great overtrading arising from the facilities which a paper currency afforded, when checked by the measures adopted respecting the Bank, would occasion many difficulties. These difficulties of course would be increased by the additional taxes proposed; and it was not unlikely that those who felt the pressure of them most severely, might ascribe to the one measure those evils which resulted chiefly from the other. Under all these circumstances, the more prudent course would have been to abstain from all new taxes in the present session. But the real question was, whether we were to have 5 millions or 2 millions of a sinking fund for the liquidation of the national debt; and he really could not discover on what principle those acted who preferred the larger sum, considering all the vacillation, difficulties, and dangers likely to be occasioned by measures affecting the trade of the country. With respect to the advantage of having this increase of the sinking fund at present, he would not give an opinion; because he was not sure of the capacity of the country to bear the additional burthens from which alone such an increase could arise; but if he was convinced that the country could bear the proposed increase of taxation, he should certainly prefer a sinking fund of 5 millions to a sinking fund of two millions. For these reasons, he thought it most prudent not directly to negative that proposal, but to take a course expressive of the opinion that this was not the proper time for carrying it into effect. He cordially concurred in the amendment.

Mr. *H. Sumner*, while he professed his hearty concurrence in all the resolutions, regretted that so considerable a part of the taxes proposed by the chancellor of the exchequer, were of a nature so immediately affecting the landed interest.

The question being put, that the words proposed to be left out stand part of the question, the House divided: Ayes, 186;

Noes, 76. The resolution was then agreed to; as was also the seventh.

### *List of the Minority.*

Abercromby, hon. J.
Allen, J. H.
Althorp, visct.
Anson, hon. G.
Aubrey, sir J.
Blandford, marq. of
Barham, J. F.
Barnett, J.
Becher, W. W.
Belgrave, lord
Bernal, R.
Bennet, hon. H. G.
Birch, J.
Brougham, H.
Byng, G.
Calcraft, J.
Calvert, C.
Campbell, J.
Clifton, visc.
Curwen, J. C.
Davies, T. H.
Denman, T.
Denison, W.
Duncannon, visc.
Ebrington, visc.
Ellice, E.
Fazakerley, Nic.
Grant, J. P.
Gordon, R.
Graham, Sandford
Grenfell, Pascoe
Griffiths, J. W.
Guise, sir W.
Harcourt, J.
Harvey, D. W.
Hill, lord A.
Honywood, W. P.
Hume, J.
Hutchinson, hn. C. H.
Longman, G.
Lloyd, J. M.
Macleod, R.
Milton, visc.
Martin, J.
Merest, J. W. D.
Mills, G.
Monck, sir C.
Moore, Peter
Newport, right hon. sir J.
North, Dudley
Nugent, lord
Ord, W.
Osborne, lord F.
Parnell, sir H.
Philips, G.
Phillips, C. M.
Price, R.
Rickford, W.
Ricardo, David
Ramsden, J. C.
Rancliffe, lord
Robarts, A.
Robarts, W. T.
Rumbold, C.
Scarlett, J.
Sefton, earl of
Smyth, J. H.
Spencer, lord R.
Stewart, W.
Webster, sir G.
Walpole, hon. G.
Waithman, ald.
Webbe, E.
Western, C. C.
Whitbread, W. H.
Wilkins, Walter
Wilson, sir R.
Wood, ald.

TELLERS.

Macdonald, J.
Ridley, sir M. W.

## HOUSE OF COMMONS.

### *Wednesday, June* 9.

AGRICULTURAL DISTRESS — PETITIONS FROM BARNSTAPLE.] Lord *Ebrington* and Mr. Bastard presented two petitions, signed by near 700 owners and occupiers of land in the neighbourhood of Barnstaple, complaining of the depressed state of agriculture, owing to the great importations of foreign corn, and praying that a committee might be appointed to examine into the truth of their allegations, for the purpose of affording them such relief as the House might think proper. In presenting one of these petitions, lord E. felt it his duty to state, that among those who signed it were some of the principal gentry, and many of the most respectable clergy and yeomanry of the district in which he resided; and that he believed the sentiments expressed in it were those of a great majority of the landed interest in that part of the country. The truth of their allegation respecting the advantage afforded to our manufacturers by import duties and prohibitions, could not be denied; and the corn grower naturally felt it hard that he did not enjoy, in like manner, an adequate protection against foreign competition. But look at the present state of our manufactures, and we should find that with all their advantages they were not less depressed than our agriculture, and that thousands of those employed in them were unable to gain their bread, even at its present reduced rate. If, indeed, we could have hoped that the appointment of a committee could have led to the diminution of any of those burthens which pressed so heavily on the land-owner and the farmer, he should have been most happy to have proposed it; but who could entertain such a hope after the late determination of the House, that it was necessary to impose an additional three millions of taxes on the people? Under all the circumstances of the times, he could not conscientiously recommend any further legislative interference with the price of corn. But in giving an opinion in which he had the misfortune to differ from so many of his constituents, he felt anxious to claim from the House for these petitioners, that attention to which they were so justly entitled, as well from their numbers and station in the country, as from the temperate and respectful terms in which they had submitted their grievances to parliament.

Ordered to lie on the table.

USURY LAWS REPEAL BILL.] Lord *Althorp* stated, that as the discussion on the usury laws was fixed for a near day, he wished, though friendly to the measure, that it should be postponed, on the ground, that it was impossible for a certain time, under recent measures, to calculate what the value of the currency, or what the rate of interest might be.

Mr. Serjeant *Onslow* said, that when he introduced the bill, he was aware of the difficulty of carrying the measure into effect under the present circumstances of our currency. He, however, had no option as to the time of bringing it forward;

because, as chairman of the committee, he had been instructed to do so. As to the principle of the measure, the more he considered the objections urged against it, the more strongly was he convinced that it must ultimately triumph. At the same time, on account of the present uncertain value of money, and the change about to take place in the circulation of the country, he admitted the propriety of postponing the measure.

The order was then discharged.

PETITIONS AGAINST THE NEW TAX ON WOOL, &c.] Mr. *Stuart Wortley* rose to present a petition from the manufacturers of Bradford, in the West Riding of York, against the imposition of any new tax on the importation of foreign wool. He was one of those who felt the necessity of that House providing taxes to meet the present wants of the state; but, while he admitted that, he was desirous that these taxes should not be laid on articles of the most material importance to our manufactures, and to tax which, went to cut at the root of the national resources. However highly he respected the petitioners, he should not have supported their prayer, did he not feel, that the view they took of the subject was correct. He should therefore, in every stage, oppose the intended imposition on foreign wool.

The *Chancellor of the Exchequer* was inclined to think that there could be no sound objection to receiving any petitions against the resolutions. Even in cases where there was reasonable ground for doubting on the point of form, the House would rather be in favour of opening a door to petitions. When a committee of ways and means had once agreed to taxes, no petitions against them could be received; but as that was not the case in the present instance, he could see no objection to the petition being brought up.

Mr. *Brougham* thought this question of great importance, as it involved the privilege of petitioning that House. He agreed with the right hon. gentleman in thinking that the ground on which it was alleged a petition could not be received failed in the present case, since the measure had not been confirmed by a committee of ways and means; and here he should have stopped, had not the right hon. gentleman gone a step farther, and opened the question, whether, if these resolutions had been sanctioned by a committee of ways and means, that would have excluded petitions. As this case might arise afterwards, he thought it as well to attend to it now. From a precedent in Hatsel, it appeared that the right hon. gentleman was wrong. After stating the case, Mr. Hatsel said—"We see from the foregoing instance, that the House found it necessary to establish a rule; and they accordingly said they would not admit petitions against a money bill depending." The learned gentleman then quoted another precedent, which showed that petitions had been admitted against a resolution which had been agreed to in a committee of ways and means. This case, he contended, supported his opinion, and was perfectly in point, as it applied to a duty on wool, the subject then before the House. The petitions against the measure were so numerous, that it was not thought advisable to persist in it. Thus, then, although the resolution had passed through a committee of ways and means, petitions against it were not only received, but were so effectual as to prevent the passing of the measure. In 1727, a resolution having passed through a committee of supply, but the report not having been received, a petition was presented against it, and received.

Lord *Castlereagh* thought that every particular case ought to stand on its own merits. To the reception of the present petition, falling as it did within the admitted principle, there could be no objection. If any petitions should be presented between the concurrence of the House in the proposed resolutions in a committee of ways and means and the introduction of the bill founded on those resolutions, the same arguments would not be applicable. But, in his opinion, the best course would be to suspend any discussion on the subject until it should appear whether or not any such petitions were presented.

Ordered to lie on the table.

THE BUDGET.] The House having resolved itself into a Committee of Ways and Means,

The *Chancellor of the Exchequer* observed, that as the House in the committee on the report of the committee of finance had already entered at large into the consideration of the general situation of the country with respect to its finances, and had sanctioned, by the Resolutions to which it had agreed, the general principles on which he intended to ground the financial operations of the year, it only remained for him to submit to the committee the details of the plan by which it was proposed to carry them into effect. The House had also appeared to approve (although it had not yet confirmed by a distinct resolution) the measures he had proposed of rendering the sinking fund applicable to the public service to a certain extent, by means of a loan contracted with the commissioners for the reduction of the national debt, under the sanction of the provision in the Sinking Fund act, commonly called Mr. Fox's Clause, and of making such provision as would render it unnecessary to resort for the future to annual loans. It was now his duty to describe the arrangements which it was proposed that parliament should adopt for the purpose of carrying that resolution into effect, as far as regarded the present year. In doing that, he should follow the usual course. He should, in the first instance, recapitulate the Supplies that had been granted and that it would still be necessary to grant for the service of the present year, and then state the Ways and Means by which it appeared to him that those Supplies might be most advantageously met; he should then proceed to an explanation of the intended arrangements with respect to the proposed taxes which he was desirous of submitting to the sanction of the committee; and lastly, he should point out those general measures for the regulation of the finances of the country, which appeared to him to be expedient, with a view to render the imposition of new taxes unnecessary, and to prevent any recurrence to loans, with the exception of a small loan for the next year, if it should be required for the purpose of the intended re-payments to the Bank of England. So much detailed information had already been laid on the table of the House in the reports of the committee of finance, and so much had been elicited by the late discussions in the House with respect to the various grants which had been made, and which it would be necessary to make for the service of the year, that on that point he should have little more to do than to refer the committee to those reports for explanation.

To begin with the first great branch of our expenditure—he meant the charges for the military service of the country—the committee were aware that the army extraordinaries still remained to be provided for. Adding them to the branches of charge for the military service of the country which had already been voted, the total charge for the Army, Ordinaries and Extraordinaries, would be 8,900,000*l.* The whole of the supplies for the Navy had been granted by parliament; they amounted to 6,436,000*l.* For the Ordnance parliament had also voted 1,191,000*l.* In the Miscellaneous Services a considerable number of items were yet to be submitted to the House; among which were the Irish Miscellaneous Services, and the grants for the poor clergy both in England and Scotland; but adding the amount of those to what had been already voted, the total of Miscellaneous Services for the year would be 1,950,000*l.* In conformity to the regular course of parliamentary proceeding, to which he always wished to pay the attention that was due to it, he begged to state that, as there yet remained some supplies to be voted, it was not his intention at present to complete the Ways and Means, but to borrow from the sinking fund the sum of 12,000,000*l.*; which would more than cover all that was yet to be granted. This mode of proceeding would not only preserve regularity, but would afford an opportunity of making those calculations which it might hereafter be necessary to lay before parliament.—The total of the Supplies for the year, as he had already enumerated them, amounted to 18,477,000*l.* But to that must be added 1,570,000*l.* for interest on outstanding exchequer bills, and 430,000*l.* for a sinking fund on those exchequer bills; making in the whole a sum, falling short of the sum of 20,500,000*l.* stated to be necessary for the service of the year in the Resolutions already agreed to by parliament, namely, 20,477,000*l.* To meet these charges parliament had already voted the annual malt duties, 3,000,000*l.*; and the temporary excise duties 3,500,000*l.*; and he should now propose to vote the loan contracted for this day, amounting to 12,000,000*l.* The Lottery, 240,000*l.*; and produce of the sale of naval stores, 334,000*l.* The aggregate amount of those sums, exclusive of the sum to be raised by loan was, 7,074,000*l.* It was obvious, therefore, that means must be adopted to provide the sum of nearly thirteen millions and a half, which was the difference between the total of the Supplies and the total of the Ways and Means, as he had hitherto described them.

He need not also recall to the attention of the committee, that the proceedings which had taken place with respect to the resumption of cash payments by the Bank of England, led to an arrangement for the repayment to that body in the course of two years, of the sum of 10,000,000*l.* Of that sum it was necessary that 5,000,000*l.* should be provided in the present year, and a further sum of 5,597,000*l.* would be required for the reduction of the unfunded debt, government standing pledged to that proceeding. For those purposes, it was proposed to raise two loans, each to the amount of 12,000,000*l.* One of those loans had been contracted for that morning by competition. The other was to be derived from the sinking fund, the details of which he would submit to parliament on an early day. All that he would at present observe with respect to it was, that it was proposed in the arrangements relating to it to press as little as possible on the money market; and therefore to divide it into twelve monthly payments; those payments not to be equal, but to be to the amount of 900,000*l.* a month in the July and January quarters, and 1,100,000*l.* a month in the April and October quarters. By this arrangement, nearly 310,000*l.* would be left monthly in the hands of the commissioners for the reduction of the national debt, for the purchase of stock; exclusive of the Irish sinking fund, from which nothing would be taken. The loan of 12,000,000*l.*, by competition, and that to be derived from the sinking fund, added to the Ways and Means which he had already enumerated, made 31,074,000*l.*; which, compared with the amount of the Supplies, viz. 20,477,000*l.*, left a surplus of 10,597,000*l.* to be applied to the reduction of the unfunded debt; viz. 5,000,000*l.* to the payment of the Bank of England, and the remaining 5,597,000*l.* to the individual holders of exchequer bills. The comparative view of the whole of the Supplies and Ways and Means was therefore as follows:—

SUPPLIES.

| | £. |
|---|---|
| Army | 8,900,000 |
| Navy | 6,436,000 |
| Ordnance | 1,191,000 |
| Miscellaneous | 1,950,000 |
| Total Supplies | 18,477,000 |
| Interest on Exchequer Bills | 1,570,000 |
| Sinking Fund on ditto | 430,000 |
| | 20,477,000 |
| By reduction of Unfunded Debt | 10,597,000 |
| | £.31,074,000 |

WAYS AND MEANS.

| | |
|---|---|
| Annual Malt | 3,000,000 |
| Excise Duties continued | 3,500,000 |
| Lottery | 240,000 |
| Old Stores | 334,000 |
| | 7,074,000 |
| Loan | 12,000,000 |
| Loan from the Sinking Fund | 12,000,000 |
| | £.31,074,000 |

He had already informed the committee, that a loan by competition for 12,000,000*l.* had that morning been contracted for. He would now state the terms of that loan, and he was happy to congratulate the committee and the country that in consequence of the competition which had been excited, those terms were highly advantageous and satisfactory, and were indeed such as clearly to evince a reviving confidence and an increasing spirit in the money market. The terms were as follow, viz. that for every 100*l.* of the 12,000,000*l.*, the subscribers should receive 80*l.* stock in the three per cent consolidated annuities (the interest on which would not commence until July, and was not to be retrospective), and 62*l.* 18*s.* 8*d.* stock in the three per cent reduced. Two other lists were offered—the one proposing to receive 65*l.* 10*s.* in the 3 per cent reduced, the other 65*l.* 2*s.* 6*d.* The list preferred therefore far outstripped its competitors, and was consequently accepted; as, of course, the smaller the sum which it was offered to take in the stock in which it was appointed that the biddings should take place, the smaller the charge both for capital and interest to the country. The loan thus raised, and the loan to be derived from the sinking fund, he would regard as a joint loan in speaking of the stock created by the two operations. Considering them as a joint loan, the stock created for the 24,000,000*l.* thus raised, would be 32,304,000*l.*; in the 3 per cent stock taken partly in the consols, and partly in the reduced. The interest on this stock would be 1,029,120*l.* the sinking fund 402,594*l.*; and the charge for management 10,291*l.*; making a total of 1,442,005*l.* Here he thought it necessary to observe, that he had strictly carried into effect the provisions of the act of 1813, by which it was provided, that when the loan for the year exceeded the proportion of the sinking fund already established, a fresh sinking fund, to the amount of half the interest should be formed. This provision might perhaps have in strictness been dispensed with on the present occasion, as so large a proportion of the loan was to be applied to the purpose of reducing the unfunded debt; but he had felt, that when a loan was raised in time of peace, the operation of the sinking fund with respect to it ought to be strengthened rather than diminished; and he had accordingly complied with the provisions of the act of 1813.—With respect to the charge for management, he did not consider the Bank to have a right to any allowance for the management of that part of the loan derived from the sinking fund, but only for that which had been contracted in the money market. The loan obtained from the sinking fund would stand as stock in the names of the commissioners, and the interest would be applied by them in the same manner as that of other funds in their hands. He had already shown to the committee that the total charge on the loan was 1,442,005*l.* The rate of interest to the subscribers was 4*l.* 5*s.* 9*d.*; amounting on an average calculation of three per cent stock to 69½. The total amount of charge to be paid by the public (the sinking fund included), was 6*l.* 0*s.* 2*d.* per cent. He again congratulated the public on the terms of the loan, which he trusted would not be unfavourable to the adventurous parties with whom it had been negotiated, although the terms were so low that, with reference to the immediate price of stock, the bidding might not at first sight appear justifiable on the score of prudence. He hoped, however, that it would ultimately prove advantageous to all parties.

Before he proceeded to the other parts of the subject, he wished to advert to the measures that he conceived would be necessary next year. As far as he could judge at present, the amount that it would be requisite to raise next year for the different branches of the public service would not exceed 11,000,000*l.*; besides the 5,000,000*l.* which it would be necessary to pay to the Bank of England, in order to complete the arrangement for the liquidation of 10,000,000*l.* due to that body. Those two sums amounted to 16,000,000*l.* If 12,000,000*l.* were taken from the sinking fund, as in the present year, there would remain but 4,000,000*l.* to be raised in the money market. That sum was so moderate, that he apprehended there would be little difficulty or inconvenience in obtaining it, and he sincerely hoped and trusted, looking to the prospect of continued tranquillity which the present posture of affairs in Europe afforded, that it would be the last time they would have occasion to resort to the money market, during the existence of peace. And even that application might, perhaps, be avoided by proper management when the period should arrive. The next branch of the subject to which he wished to call the attention of the committee, was the consideration of the mode by which he proposed to realize the pledge that had been given to the stockholder to raise three millions in taxes, in order to make up, with the two millions of surplus revenue, a sum of five millions applicable to the reduction of the national debt. But, as he was on the general subject, he was desirous, before he proceeded further, to describe the present state of the unfunded debt of the country, and the situation in which it would remain after the arrangements of the present year were wound up. The existing unfunded debt was about 49,000,000*l.*; the interest of the whole of which was provided for by votes of supply in the present year. The total amount of exchequer bills outstanding was 44,600,000*l.*; that of Irish treasury bills, becoming payable in July next, 4,400,000*l.*; making, as he had before observed, a total of 49,000,000*l.*—These he proposed to replace by exchequer bills already voted to the amount of 20,000,000*l.*, by a further vote of 16,000,000*l.*, and by 2,500,000*l.* of Irish treasury bills, which would make the total amount of the unfunded debt 38,500,000*l.* Compared with the 49 millions of unfunded debt at present existing, there would thus be a diminution of ten millions and a half. It was his intention to propose, that the three millions which parliament had resolved to raise by taxation, should be applied to strengthen the consolidated fund, in order to enable it to support the charges of the loan of the present and of the last year, to which, thus reinforced, he thought it would be nearly equal. The amount of the charge on the last loan, was about 1,600,000*l.*; that of the present loan 1,442,000*l.*; making together the sum of 3,042,000*l.*; being an excess of 42,000*l.* over the sum which it was proposed to raise. That sum would therefore be appropriated to meet the charges of the two loans; and as it was a matter of account, it was not very material that the appropriation should be exactly balanced. A little might be thrown into one scale or the other without inconvenience, although it would be well to allot to them, as nearly as possible, the same proportion.

He now came to the particular propositions which he had announced it to be his intention to bring forward. The first was the consolidation of the customs. It was impossible for him to go into all the items of which that head was composed; and it was the less necessary, as a schedule had been prepared which would give gentlemen the fullest information on the subject. It was only material to state the increase on the whole in the different duties already existing. The only important increase of duty, as he had already stated, was that in the duty on foreign wool; which was of considerable amount. The others were very minute in their rates; and the produce of the whole might be taken at 500,000*l.* annually. In such a variety of articles, some would, of course, produce more, some less, than the estimate; but he saw no reason to think that the whole would not amount to the sum that he had mentioned; and whether some produced more and some less, was not material, as the whole was to be thrown into the general mass of the consolidated fund. The articles of minute detail, when the schedule to which he had alluded was printed, would be subject to the consideration of every hon. member who might feel interested in the various minute alterations proposed; and every variation of rate would be marked in it; for in some instances the duty was reduced, while in others it was increased.

He had mentioned on a former night, that a considerable advantage was expected from transferring the collection of several of the duties from the board of customs to the board of excise. These were, the duties on tobacco, tea, pepper, coffee, and cocoa nuts. On the last-mentioned article a higher rate of duty was at present paid than on coffee. For many years the duties on the two articles had been the same. But when it became an object to bring coffee into more general use, a difference was made in its favour; but it was now proposed that coffee, and the cocoa nut or chocolate nut, should, with reference to taxation, be placed on the same footing.—The remaining articles to be considered were tobacco, coffee, tea, and pepper. With respect to tobacco, the existing duties greatly varied. American tobacco paid an excise duty of 9¾*d.* a pound; Spanish and Portuguese tobacco 2*s.* a pound; and West India tobacco 1*s.* a pound. To this was to be added the custom duty. It was intended to simplify all those duties, and to impose on all plantation and East India tobacco a duty of 4*s.*; on foreign tobacco, and on all foreign snuff, a duty of 6*s.* The produce of the increase of these duties he estimated at 500,000*l.* Upon coffee, of the plantations, there was at present a duty of 7½*d.* a pound. He proposed to raise it to 1*s.* a pound. East India coffee from 11*d.* to 1*s.* 6*d.*; and on foreign coffee from 2*s.* 4½*d.* to 2*s.* 6*d.* From the increase of these various duties on coffee, it was estimated that 130,000*l.* would be derived to the revenue. With regard to tea, he had already stated that he proposed to increase the duty 4 per cent, or from 96 to 100; from which also the sum of 130,000*l.* was expected. The duty on pepper, which was at present 1*s.* 10½*d.* a pound, it was proposed to increase to 2*s.* 6*d.*, from which it was estimated that 30,000*l.* would be derived.

He had already mentioned, that by the transfer from the customs to the excise, very considerable expenses of management would be saved to the public. By placing all the duties on one article under the management of one board, that of the Excise, all the services of the officers of customs employed on that particular branch of the service would be saved to the public. A most essential convenience would also be afforded by it to merchants. He did not know any thing of which persons in trade more loudly complained than the multiplied regulations to which they were at present obliged to attend, and the necessity they were under of making applications on the same business at various places, and at different periods of the day. All that would now be remedied. But the principal advantage of the projected arrangement was this — that it would prevent the adulteration of the articles which it comprehended. Some of those articles were sold in small quantities; oftentimes ground up; and it therefore became extremely difficult to determine whether or not they were genuine. By the transfer of these from the customs to the excise, a watch would be set over them to prevent their adulteration. It was desirable also that the collection of the revenue should be placed under the care of those who possessed the best means of exercising a vigilant superintendence over it; and the commissioners of the customs had no cognizance of the subjects of taxation after their delivery from the king's warehouses.

Two other subjects remained to be brought under the consideration of the committee. One, from which he expected to derive a very considerable addition of revenue, was the increased duty on malt. He had stated on a former evening, in his general opening, that he calculated on its producing 1,400,000*l.*, including its operation in Ireland—to which country indeed it was proposed that all the increased duties should extend, except that on home-distilled spirits. The sum which he had mentioned would, he conceived, be raised by the imposition of an additional duty of 1*s.* 2*d.* per bushel, or 9*s.* 4*d.* per quarter. When he first introduced the subject of the duty on malt, he endeavoured to show by calculation, that the additional duty ought to cause no addition of price to the public. In the opinion which he had expressed on that occasion, he had been confirmed by subsequent inquiry and consideration. He wished that every gentleman who took an interest in this subject would give themselves the trouble of consulting the evidence taken before the committee on breweries which sat last year; the report made by which, contained highly valuable information. He had taken the liberty on the occasion to which he had just alluded, of adverting to the evidence given before that committee by a very respectable gentleman, extensively engaged in the trade, and at that period a member of the House. Another very respectable gentleman thought that he (the chancellor of the exchequer) had mistaken that evidence. Since that period, he had had a personal communication and conference with the gentleman whom he had first mentioned—Mr. Barclay—in order that he might correct any error into which he had fallen; and he would now state to the committee the view which Mr. Barclay at present took of the subject. Mr. Barclay said, that the real price of malt generally averaged 4*s.* a quarter less than the price quoted. The price quoted last year was 81*s.* a quarter, and that he had stated to the committee on the subject; but the general average of that year he believed to be 77*s.* a quarter. So far the difference of the two statements certainly diminished the result of the comparison which he (the chancellor of the exchequer) had made between the last and the present year. Mr. Barclay also stated, that the average price of malt this year was 84*s.* a quarter; but he allowed that it was of an inferior quality to the malt of last year, and that it was not so good for the purpose of brewing by 6*s.* a quarter. That 6*s.* ought, therefore, to be added to the present average price of malt (as compared with the average of last year) making it 90*s.* a quarter. But hops, which were last year 24*l.* or 25*l.* a cwt. had fallen to 10*l.* The result, then, of the comparative statement between 1818 and 1819 would stand thus:—In 1818, the quarter of malt was 3*l.* 17*s.*, and the hops and other materials necessary to brew it cost 2*l.* 2*s.*, making in the whole 5*l.* 19*s.* In the present year, the quarter of malt (allowing 6*s.* a quarter for its inferiority to the malt of last year) was 4*l.* 10*s.*; but the hops and other materials necessary to brew it would cost but 18*s.* 4*d.*, making in the whole only 5*l.* 8*s.* 4*d.* It thus distinctly appeared, that the brewer gained a profit in the present year of 10*s.* 8*d.* a quarter more than he did last year. He thought it but perfectly right that the public should participate in that profit; and it was obvious that the proposed duty being drawn only from the surplus profit of the brewer this year as compared with the last, ought not to affect the price to the consumer, which price, instead of being raised, ought, and he trusted would, rather be reduced; more especially if the approaching harvest should turn out favourably. He hoped, whatever might be the difference between the calculations of various persons, that the House would find the general result the same, and be satisfied that his position, that the present duty did not only not go to justify a rise in the price of porter, but was compatible with a diminution of price after a time, was fully borne out.

The only remaining article to which he had to call the attention of the committee, was the proposed increase of duty on home-made spirits;—he meant spirits distilled in England; for it was not his intention that this tax should extend either to Scotland or to Ireland. The new duties he meant to impose were at the following rates: The duty on malt wash he meant to advance *3d.* per gallon; or from 1*s.* 9*d.* its present rate, to 2*s.* The duty on sugar wash he proposed to advance to 2*s.* 6*d.*; and that on wine wort, or wine wash, to 3*s.* 6*d.* The produce of those increased duties he calculated at 500,000*l.* If the effect of these last duties should be to diminish the consumption of spirits, and increase that of the wholesome produce of the brewery, no man would more heartily than himself rejoice at a change that would be so conducive to the health and morals of the people. Some gentlemen concerned in the distilleries, had however represented to him, that this measure would give the foreign distiller an advantage over them, unless they were protected by some countervailing measure. On that subject, he had not yet come to any decision; but he might hereafter deem it expedient, to come forward with some additional proposition, which, while it afforded protection to the home-trade from foreign competition, would probably at the same time, augment the revenue of the country.—Having now gone through the various topics which he had wished to press on the attention of the committee, he had only to add, that, if on any point he had not been thoroughly understood, he should be happy to afford any explanation that might be required.

Mr. *Grenfell* wished for some explanation, with respect to the 11,000,000*l.* alluded to by the right hon. gentleman in his statement, relative to the loan of next year.

The *Chancellor of the Exchequer* expressed his readiness to explain that point to the hon. gentleman. He had already said, that he hoped that during the continuance of peace, the present would be the last time, that he or his successors in office should have the unpleasant duty of calling for a loan or additional taxes, except perhaps in the next year, for a loan of a very limited amount. In the present year, the sum of 13,000,000*l.* was necessary to balance the deficiency of the income of the country, as compared with its expenditure; but he hoped that in the next year, partly from a reduction in the charges on the unfunded debt, and partly from other causes, that the deficiency would not exceed 11,000,000*l.* To that must be added the 5,000,000*l.* to be paid to the Bank of England. If, therefore, as in the present year, 12,000,000*l.* were to be next year taken from the sinking fund, 4,000,000*l.* would be all, as far as he could now see, that it would be necessary to raise by way of loan in the money market, in order to complete the ways and means of the year. There was no reason to apprehend, that after that period, it would be necessary to trouble parliament or the country with a subject so painful as loans and new taxes. He trusted that having made the present effort to place the finances of the country on a permanent footing, and to prevent the necessity of any recurrence to fresh expedients or burthens, hon. members would return home with the consciousness of having done their duty; and he trusted that although some momentary feeling of distaste might prevail with respect to particular taxes, their exertions would be rewarded by the approbation of their constituents, who would feel that parliament had watched over their interests with vigilance and wisdom, and had adopted the only course which was calculated to be productive of permanent good. He would now conclude by moving his first Resolution: viz. "That, towards raising the Supply granted to his Majesty, the sum of 12,000,000*l.* be raised by way of annuities."

Mr. *Grenfell* wished to preface the few observations he should make by thanking the right hon. gentleman for the very clear statement he had that night made; indeed it was but justice to say, that the right hon. gentleman's details upon financial subjects were remarkable for their perspicuousness. The right hon. gentleman had observed in the outset, that the discussions connected with this subject within the last few days had necessarily narrowed the view it was necessary for him to take of the finances, in bringing forward what was called the annual budget: it had certainly been his (Mr. Grenfell's intention to have taken some part in the proceedings of yesterday and the day before; but he yielded to those who seemed to have a prior claim. He agreed that it was not only desirable, but with reference to the best interests of the country, most expedient that it should possess a surplus of income beyond the expenditure; that it should possess, in short, a sinking fund. Assuming that the revenue would maintain its present level, he considered it something like a proud situation for Great Britain, that the House should know, that the country and Europe should know, after the mighty exertions we had made (without now entering into the question of the fitness of the late war, or of the necessity for such expenses in conducting), after the immense sacrifices of treasure to which the nation had submitted, that it was at this moment, after a general wind-up of its concerns, in possession of a real unequivocal surplus of income beyond its expenditure of not less than two millions. He also agreed, that it was most fit that that surplus should be carried further than the existing amount of two millions—that it should be increased by the two modes, of reduced expenditure and additional taxes, to five millions. After the country should thus be placed in an attitude to command respect from all the world, he should feel most happy if, by economy, by the proposed regulations in the collection of the revenue, and lastly, by the operation of compound interest, those 5 millions were raised to 8 millions of surplus. That such should be the case, was not only of importance as affecting the national debt, but of infinitely more consequence in a moral point of view. It had been said, and said truly, that while we were without a surplus, the country was not in a situation to defend itself from sudden hostility: with a surplus of two millions, it would have more power to assume a defensive position: 5 millions would still more strengthen it, and with a surplus of 8 millions, he should be glad to know if there was any nation of the world (though God forbid that he should insinuate that there existed at present any such design) which could make an attack upon Great Britain with the remotest chance of success. With respect to the loan, he, for one, was desirous of bearing his testimony of approbation to the whole plan this year adopted by ministers for raising a surplus: as far as his observation went, it was a plan that gave universal satisfaction, excepting to a few who, from a perversion of understanding, obvious enough and easily explained, had taken it into their heads that a loan of 30 millions would be much more advantageous to the nation than one of 12 millions. There was one part of the subject not adverted to, but upon which he was peculiarly sensitive; and though it appeared in itself trifling, it might produce results of the utmost value: he alluded to the generally understood refusal of the Bank of England to give the loan contractors and the public that accommodation which for the last 25 years it had afforded, by making a proportion of advance on the instalments of the loan. He was very glad that they had not consented to continue this assistance; first, because, unless he was much mistaken in his prophesy, the public would find that it could do without it with the utmost facility; and, secondly, because the transaction exhibited the corporation of the Bank of England in its true and proper colours. When he spoke of this corporation, he begged to be understood as having no reference to the conduct of particular individuals, because he had reason to know that there were among the directors some who had divided the court on this question, and had done their utmost to resist the determination of the majority. Of the acts of the corporation, however, he could only judge as they presented themselvns, and it appeared that it had peremptorily refused to continue the accommodation it had so long given. Yet the directors must forgive him for asserting, that there was something of littleness and low-mindedness, something of pique and spleen, in this refusal: it was an opposition to the government and the country, wholly unworthy of persons professing to take such an interest in the concerns of the nation. It was, perhaps, natural that the corporation should feel some degree of resentment against government, which, after 25 years of subserviency, had at last broken the fetters by which they had been so long and so injuriously bound; and he was not surprised that the directors now came forward and considered such an attempt as a resistance to their high and mighty authority. It was not to be wondered that four and twenty merchants, men engaged in the pursuit of gain, should be a little intoxicated with the power they had for a series of years exercised, and they might be allowed to feel a little chagrin and soreness that their power was now at an end. They had hitherto been anxiously consulted by ministers in all exigencies regarding the finances, and no doubt they thought it a little hard that those to whom (though not quite disinterestedly) they had given their advice and assistance, now turned against them. Perhaps even they might feel some portion of resentment at the apparent ingratitude of their protegés, the first lord of the treasury and the chancellor of the exchequer. It would be easy to go more at large into this point, but he would merely congratulate ministers that they had at length effected their emancipation from a species of tyranny as disgraceful to the government as injurious to the best interests of the country. With respect to the proposal for raising three millions by taxes, he was certainly disposed to think that this was not the most judicious moment for making the experiment: it would have been more advisable to have deferred it until next year, when it might be known whether the existing pressure upon and stagnation of trade had been removed, and after the operation of the plan suggested by the Bank committee had been ascertained. He took it for granted, that further opposition to the principle would be ineffectual; and as to the taxes themselves, every gentleman in a future stage would have an opportunity of expressing his opinion: at present he did not wish to commit himself upon a subject that he had not duly considered. He could not sit down without expressing his regret, that in consequence of the temporary indisposition of his right hon. friend (Mr. Tierney), he had been the first to reply to the chancellor of the exchequer: that indisposition, he was happy to add, was only temporary, and most probably his right hon. friend would be found at his post to-morrow.

Mr. *Manning* was not much surprised at what had just fallen from the hon. gentleman on the subject of the Bank of England, though, considering the many opportunities he had sought to make attacks upon that establishment, it might have been spared upon the present occasion. The terms the hon. gentleman had employed, had certainly been far from courteous, but such at the same time as he was in the habit of employing. The compliment which had been attempted to the directors as individuals, he was not for one at all disposed to accept, when it was asserted that in their corporate capacity they had been guilty of a total dereliction of duty, and with acting in hostility to government from pique, spleen, and littleness of mind. He denied the charge most unequivocally. The hon. gentleman had talked of information he had received regarding the opinions and conduct of the directors in their court, on the subject of advances to the subscribers to the loan. Now, he could only have obtained his information from one of the members of the court, and that member could not have communicated it without a breach of duty and of confidence. On the part of himself and his colleagues, he would assert, that whatever had been the result of their deliberations, they had not been actuated by any thing like pique or animosity towards the existing government; they felt themselves superior to such paltry motives. The directors had been told, that they were not to be politicians: that they had nothing to do with the state of the country, or its interests; and that they ought to confine themselves to their books and banking business; but in the particular in which the hon. gentleman had blamed the Bank, he ought rather to have applauded it, at least if he wished to be consistent with himself. Why had they refused to grant the usual accommodation to the contractors, but that they might preserve that control over their issues for which the hon. gentleman and his friends had so long contended? If the directors wished to have this complete control, it was impossible that they could undertake to make the usual advances, without knowing the limits to which those advances might be required. Suppose, for instance, the loan had been 30 millions, and the Bank had been called upon to advance 9 or 10 millions. Suppose, too, an unfavourable harvest, or any other important external circumstance, over which they could have no influence, were to raise the price of gold to 4*l.* 15*s.* or even to 4*l.* 10*s.* per oz., what then might not have been said against the Bank? Would not the hon. gentleman have been one of the first to charge the directors with imprudence for not preserving a due control over their issues, when they knew that a bill had passed to compel them, at a certain time and according to certain rates, to pay their notes in gold? It was due to the great establishment of which he was speaking, that it should stand right in the eyes of the House and of the country; and once for all, he repeated, that the conduct of the directors, on the particular question referred to, had nothing to do with the point now before the committee. He was quite willing to bear his share of responsibility for the decision at which that body had arrived, and he would not attempt to screen himself by any explanation of the motives by which he had been actuated. He assured the hon. gentleman that it would be much more to his credit if in future he would abstain from employing such epithets as he had that night applied to the Bank of England, and such as those with which, week after week and day after day, he had fatigued the House. He again insisted, that public considerations only had influenced the Bank: at whatever conclusion the House might arrive, it was the anxious desire of the court of directors to comply strictly with the directions of parliament.

Mr. *Pearse* insisted that the attack made upon the Bank was wholly unwarranted and unprovoked. Whenever the conduct of the directors had been alluded to, the hon. gentleman had constantly indulged himself in a violent strain of invective, unjustified by any facts he was able to adduce. If this practice were continued, of course the House would pass its own judgment upon it. He would not throw back upon the hon. gentleman any of the gross terms he had used. Whether the hon. gentleman were actuated, in his uniform abuse of the Bank, by any feeling of pique or revenge, he could best determine.

Mr. *Mellish* despised the compliments paid to him at the expense of his colleagues. The information on which the hon. member had spoken, must have been derived from a breach of confidence on the part of one of the directors, and if he knew who that gentleman was, he would be the first to move a vote of expulsion against him. He could assure the House, that the Bank had no pique against ministers, and he would add, that that body had performed their duty in a manner which entitled them to the thanks of the country. The hon. member for Portarlington (Mr. Ricardo), found fault with the Bank directors for not having attended sufficiently to the interests of the proprietors; the hon. member for Marlow (Mr. Grenfell), on the contrary, said, that the Bank had too many bonusses, and that the public ought to share in the profits. How were the directors to act so as to meet the wishes of both gentlemen.

Mr. *Grenfell* said, that the information he had received had been communicated by a Bank director, in the open street, in the presence of three or four gentlemen, and without any intimation of secrecy being required.

Mr. *Protheroe* said, he was confident from the character of the Bank directors, that they were utterly incapable of pique or little-mindedness; he believed that they rather felt a pride in giving relief to the distresses of the country. The circumstance alluded to would, however, introduce greater independence of the Bank on the part of government. The observations made by the hon. member (Mr. Grenfell), respecting the advantages of placing the finances of the country in a situation that would command respect from other countries, indicated a truly British feeling. It had been frequently asserted, that ministers were deterred, from a sense of their weakness, from bringing forward the measures which were necessary for the security of the country. As he had opposed temporary expedients, he considered himself bound to give his support to a sound and vigorous system of finance. The measures adopted for the restoration of a metallic currency had his entire concurrence. The measures for providing a real and effective sinking fund, he considered as founded both on political and financial justice. They were calculated to put the country in a situation to deter insult, and to prevent war.

Sir *J. Newport* said, the Bank had been justified in using their discretion in adopting measures to enable them to resume cash payments. With respect to the measure proposed, he thought it was ill-advised to add to the taxation of the country at present, as the people were not in a situation to bear additional burthens. The tax on malt he understood, was to extend to Ireland and Scotland, while the tax on spirituous liquors was confined to this country. This would have the effect of injuring the morals, and lessening the comforts of the people of Ireland, as it would drive them to the use of spirits which would be cheap as compared with malt liquor so taxed. He hoped the right hon. gentleman would perceive the expediency of encouraging the use of malt liquor instead of spirits, as it was materially conducive to the morals and happiness of the people of Ireland.

Mr. *Bennet* observed, that the country had some time ago been promised a sinking fund of 21 millions, and a total abolition of the war taxes. Now, however, it was found that they had only a sinking fund of two millions, and that seven millions of war taxes were still continued. They ought to remember the promises made in 1816. It was then said, that the revenue of the ensuing year would amount to 49 millions, whereas it turned out to be no more than 44,593,000*l.* The revenue of the last year had arisen to 48,416,000*l.* but what security had the country now that next year's revenue would not decrease as that of the year 1816 had done? In 1817, there was a deficiency of five millions in the promised amount of the revenue. How then could the promised revenue of any future year be depended on? Was this, he would ask, a time to impose new taxes on the people? He had no hesitation in saying, that distress and misery, and crime resulting from this misery, were more prevalent now than they had been at any former period. In every district nothing was to be found but poverty and wretchedness. It was impossible to say what would be the result of this situation of things. They might force the taxation, but they must do it on one of two grounds—either they must take from poverty what poverty could not spare, or else those taxes must be made up from the poor-rates. As to the malt tax, he should give his opinion upon it when that question came to be discussed. If these new taxes were ultimately carried, it must be because we were at the commencement of a new parliament. No member supporting such a measure at the close of a parliament could face his constituents without receiving that treatment which his conduct merited.

Mr. *Mansfield* said, that if new taxes were necessary on account of the financial state of the country, and if the lower orders were exhausted and depressed, the House had a splendid opportunity of introducing, not an income tax, but an absolute property tax—a tax upon the fundholder and the landlord, a tax upon themselves and upon the wealthier part of the community. He thought it infinitely better for the House to say, "Come and lay on a modified property tax of which we shall feel the burthen," than to impose any other tax. But if gentlemen would not have a property tax, he thought the taxes proposed were lenient.

Mr. *J. P. Grant* said, if he understood the right hon. gentleman rightly, the sinking fund of Ireland was not to be made applicable to the purpose of a loan. The sinking fund of that country was greater in proportion to its stock than the English sinking fund was. In consequence of this, the commissioners found it difficult to invest their money; an act was therefore passed, allowing the transfer of English stock to Ireland. This act having passed, there was such a remittance of money from Ireland as to raise the exchange between Dublin and London from 8⅓ to 14 per cent. If the English sinking fund was to be reduced by 13 millions and the Irish sinking fund was to remain untouched, it was obvious that the speculation in the Irish funds would raise the sinking fund of that country in proportion to its stock, the consequence of which would be, the raising the price of Irish stock much above that of English stock. He recommended it to the consideration of the chancellor of the exchequer, whether the stock of both countries should not be placed on an equal footing. He was opposed to any new taxes, as he conceived this was not the proper time to impose them. What prospect had the country now that the revenue would remain at it was, any more than they had in 1816? If they looked to the amount of the revenue in January 1819, they would find that the increase in the customs was caused by a system of speculation and overtrading, from which the country was now suffering and must continue to suffer for a considerable time.

The *Chancellor of the Exchequer* said, that the Irish consolidated fund was sufficient to meet the immediate charges upon it in time of peace, and therefore it was unnecessary to apply the sinking fund of that country to the purpose of a loan. It was necessary, after the contributions made by Ireland to allow her to recover herself a little; besides, this trading in the Irish funds could not be to a great extent. When there was a loan of 30 millions here, no more than 4½ millions had been transferred to the Irish funds, therefore the present loan of 12 millions could not be supposed to affect those funds to any great extent. He saw no grounds for taking a gloomy view of the revenue of the country: he had stated on a former occasion that there was a perceptible diminution in the revenue in the last quarter; but since that period he had received accounts of payments having been made which, on the whole, turned the balance in favour of the present year.

Sir *R. Wilson* said, that if he wished to see a public commotion in this country, he would support, not only the resolutions before the House, but all the measures of his majesty's ministers. Though the chancellor of the exchequer conceived he was secure in his taxation by the holy alliance in front, and a strong army in his rear, the public creditor might, in the end, be willing to exchange these securities for the old system of the country. It was overwrought taxation in France which produced a convulsion, which lopped off two-thirds of the public debt, and though the successor of that system boasted that the guillotine was a mint and produced money by that expedient, he was at last paid in his own coin. When the French armies entered Prussia, their generals raised money where the Prussian financiers thought nothing was to be found, but the people repaid themselves by the punishment of their oppressors. It was possible to lay on taxes, but if they did not take warning from decrease, decline, and discontent, a convulsion would ensue. He attributed a great part of the expense thrown on the public, on account of the colonies, to improvident management. He had been attached to the corps which captured the Cape of Good Hope. They found that colony, with a well paid army of 4,000 men, an improving city embellished with new works; a public treasury well filled: and all this had been done by the Dutch governor Jansens, without a shilling from the mother country for several years, and while the trade of the colony had been intercepted; yet that colony was a constant drain on this country. In Ceylon a war was carried on, which would cost the country one million and a half. That morning advices had been received from Lower Canada, that the House of Assembly had refused to vote the supplies proposed to them stating, that the internal improvement of the province was the first duty of the legislature, and that "that duty would be most efficiently performed by reducing the overgrown bulk of the civil list of the province, the progress of which in every species of public improvement, seemed to have been tardy, in the direct proportion of the speed with which the expenses had accumulated." He was happy that the assembly had done so; if they had not, the expenditure of which they complained would have destroyed all independence, and not a word against the government would have been heard, except through the mouths of a "factious opposition." Feeling as he did the injustice and impolicy of the new taxes, he would object to every proposition respecting them.

Mr. *Calcraft* said, the more he heard of the new taxes, the less he liked them, though he had but little doubt that if imposed, they would be paid; but they would be paid in part out of the poor-rates. He was inclined to believe, that notwithstanding the untoward state of the country (which he could not help thinking would not long continue), the revenue would keep up to the 54 millions, at which it was estimated by the finance committee. The moment however, which had been chosen for the imposition of new taxes, was, in his opinion, as unfavourable as could be pitched upon; and though he thought it would be desirable to have a sinking fund of 5 millions, he did not think the terms of the loan would have been more unfavourable, if there had been one of only two millions. On the subject of economy he had heard a great deal, but he was still of opinion, that great and important reductions might be made. He had not been able in the present session to discuss the army estimates, but he thought those of the present year as objectionable as the celebrated estimates of 1816, about which so much had been said at that time. If he lived until next year, and had a seat in the House, he would make it out to the satisfaction of the House, that those estimates, were extravagantly large, and ought to be reduced.

Mr. Alderman *Wood* opposed the new taxes, and said, he was surprised that the landed interest supported them. Though the tax on foreign wool had been held out as a bribe to them, that tax would not alter the price or prove any protection to the home growers. The malt tax would be a much greater loss than the wool duty could prove a gain to the agriculturist. Farms were now scarcely to be let at the old rents. In Suffolk, in the midst of a barley country, 700 acres could scarcely be let for 350*l.* a year, and in some parishes the poor-rates were a guinea in the pound.

Mr. *Ricardo* said, he had already opposed the grant of 3 millions towards a sinking fund, because he did not wish to place such a fund at the mercy of ministers, who would take it whenever they thought that urgent necessity required it. He did not mean to say that it would be better with one set of ministers than another; for he looked upon it that all ministers would be anxious, on cases of what they conceived emergency, to appropriate it to the public use. He thought the whole thing a delusion upon the public, and on that account he would never support a tax to maintain it. He would admit that some means should be resorted to for liquidating the public debt, and in this he agreed with the hon. member for Leicester that a great sacrifice should be made; but he could not go with him in thinking, that that ought to be a property tax. That would be attended with the same bad effects as the other plan. He would, however, be satisfied to make a sacrifice; the sacrifice would be a temporary one, and with that view he would be willing to give up as large a share of his property as any other individual. [Hear.] By such means ought the evil of the national debt to be met. It was an evil which almost any sacrifice would not be too great to get rid of. It destroyed the equilibrium of prices, occasioned many persons to emigrate to other countries, in order to avoid the burthen of taxation which it entailed, and hung like a mill-stone round the exertion and industry of the country. He therefore never would give a vote in support of any tax which went to continue a sinking fund; for if that fund were to amount to 8 millions, ministers would on any emergency give the same account of it as they did at present. The delusion of it had been seen long ago by all those who were acquainted with the subject; and it would have been but fair and sound policy to have exposed it. On the subject of the loan he had nothing to object. He gave credit to and thanked the chancellor of the exchequer, for his good management within the last two or three days. [a laugh]. It was, he conceived creditable to him to have effected the loan on such good terms, when it was considered that only a few days back the funds were at 65. But though he gave credit to the right hon. gentleman for his plan in one respect, it was but fair to his hon. friend (Mr. Grenfell) near him, to say that this was the advice which he had given long ago. An hon. Bank director had said that he (Mr. R.) was inconsistent with his hon. friend. He was not bound to agree in every opinion which his hon. friend might hold; but he did not think he was so inconsistent as was said. He would admit, that he had complained of the Bank not having divided their profits. The Bank had made profits no doubt. It was the duty of the directors to do the best for the proprietors; and it was also the duty of government to make as good a bargain for the country as they could. He could not approve of the Bank making presents to government, though he could not blame those to whom they were given, for making the most of their contracts with them.

Mr. *Grenfell* wished to know, whether the sinking fund hereafter was to be kept at work at its old nominal amount, or only to the amount of the real surplus of the revenue above the expenditure? He wished also to rebut the idea, that the appropriation of the sinking fund, as in the present year, which was authorized by Mr. Fox's clause, was any departure from faith to the creditor. The event mentioned by his hon. friend might illustrate this. When it was known that the sinking fund was so applied, the stocks rose from 65 to 69—a pretty clear proof that the stockholder did not consider it a detriment to his property.

Mr. *Ricardo* wished to ask, whether it was to be understood that in the next year, as there would be 11 millions to be raised for the service of the year, and five millions to be paid to the Bank, there would be taken, as in the present year, 12 millions from the sinking fund, leaving the rest to be raised by way of loan?

The *Chancellor of the Exchequer* did not wish to pledge himself as to the course to be taken in the next year; but so far as could be foreseen, 11 millions would be required for the supplies of the year, and 5 for the repayment to the Bank. It would then be in the power of parliament to take 12 millions from the sinking fund, leaving 4 millions to be raised by loan, or any other means.

The first Resolution was agreed to. On the third Resolution, that the usual sum be raised by lottery, a member said a few words, expressing a hope that the chancellor of the exchequer would not press this resolution. This expression was received with cheers from the opposition, and the Resolution being put, the committee divided: Ayes, 117; Noes, 49.

*List of the Minority.*

Althorp, viscount
Anson, hon. G.
Bentinck, lord W.
Beaumont, T. W.
Buxton, T. F.
Baring, sir T.
Barnett, J.
Bennet, hon. H. G.
Birch, J.
Calvert, C.
Calthorpe, hon. F.
Calcraft, John
Calvert, Nic.
Carhampton, earl of
Curwen, J. C.
Denman, Thos.
Duncannon, visct.
Evans, W.

Gipps, G.
Grant, J. P.
Gordon, Robt.
Graham, Sandford
Grenfell, Pascoe
Honywood, W. P.
Hume, Jos.
Hurst, Robt.
Hutchinson, hon. C. H.
Lubbock, sir John
Leake, Wm.
Lamb, hon. G.
Lambton, J. G.
Lyttelton, hon. W. H.
Macleod, R.
Martin, John
Merest, J. D.
Newman, R. W.
Newport, sir J.
North, Dudley
Osborne, lord F.
Parnell, sir H.
Pelham, hon. G.
Phillips, C. M.
Rickford, Wm.
Ricardo, D.
Ridley, sir M. W.
Tichfield, marq.
Williams, W.
Wilkins, Walter
Wilson, sir R.

TELLER.

Brougham, Henry

On the resolution for laying an excise duty of 1*s.* upon every bushel of malt; and 1*s.* per pound on tobacco or snuff, the same not being Irish,

Mr. *Gooch* said, it might, perhaps, seem very inconsistent in him, who voted on a former occasion for the financial resolutions of the right hon. gentleman, now to oppose one of the principal taxes suggested by him. Such, however, was his intention, and he should do so from this motive—that the landed interest of the country had a right to complain of the manner in which their grievances had been considered, and their petitions received. They had been told, that their interests were sufficiently protected already by the Corn bill. But from that opinion he dissented entirely: the Corn bill was a dead letter in fact, and no protection whatever. The landed interest demanded only what every other body of men had—protection; a protection against the foreign farmer, who could afford to bring his corn to market at 40*s.* cheaper than they could. Not only was that corn bill no protection, but fresh taxes were now to be imposed upon them. The chancellor of the exchequer had told them, that this duty on malt would affect neither the land owner nor the consumer. But the fact was, that if it did not press upon the landholder, it necessarily would upon the poor, the great body of whom were supported by the poor-rates—another circumstance materially affecting the agricultural interest.

Mr. *Buxton*, after having ably vindicated the conduct of the brewers from the charges which, on former occasions, had been brought against them, observed, that he would now offer a few words on the proposed taxes. There were some points in the plan on which he differed from all the gentlemen behind him, and others upon which he differed from all the gentlemen before him; while there were others upon which he differed perhaps from all the gentlemen in that House, as well as from every individual in the country. His opinions might be sneered at or condemned, but whatever opinion he conscientiously deemed to be correct, he would not hesitate to assert. He had, then, no scruple to say, that he thought the present a very fit occasion for the imposition of new taxes. The people had been very much amused and delighted by the events of the war; nay, they had been led to believe, that the war had contributed to improve the condition of their commerce and manufactures. Therefore, as the day of reckoning was now come, he wished so see such an effect from that reckoning, as should serve to guard the public mind against the mischievous impression, that war was a good and peace an evil. He was anxious, in fact, that the people should be sensible of the evils that followed from war, whatever might be its occasional triumphs or temporary advantages. As a friend to peace, he was desirous for such an impression, in order that the people might become universally adverse to war. But, still, he could not concur in the propriety of imposing these taxes, which bore exclusively on the poor, especially where the object was, to establish a sinking fund; for the establishment of such a fund, was meant merely for the benefit of the rich, and nothing could be more iniquitous than to tax the poor in order to secure the property of the rich.

Colonel *Wodehouse* disapproved of the proposed tax upon malt, not from any selfish consideration, but from a conviction of its general impolicy, and particularly of its tendency to discourage the growth of corn.

Mr. *C. Calvert* declared his impression that no taxes could be selected more likely to have an oppressive operation upon the lower orders than those proposed. There was, for instance, but comparatively little consumption of beer among the rich, and as to the tax upon tobacco, upon whom would that operate? The tax upon tea was also mentioned. He hoped, however, that the right hon. gentleman would not attempt to extend that tax to the lower priced teas, which formed such a material article of subsistence among the poorer classes. But the fact was, that out of the three millions of proposed taxation, no less than 2,400,000*l.* would be found to bear alone upon the poorer classes. Here the hon. member entered into a vindication of the conduct of the brewers, observing, that the price of beer was reduced upon the removal of the war tax upon malt, but that the brewers were under the necessity of raising the price again, from malt rising from 63*s.* to 95*s.* per quarter, and hops from 7*l.* to 13 guineas per cwt.

Mr. *Huskisson* supported the proposed plan of taxation, and adverting to the statements of the hon. gentlemen who so warmly advocated the cause of the brewers as to the effect of competition among that body in reducing the price of beer, observed, that it appeared from those gentlemen that the competition alluded to was proposed at a private meeting of the competitors, to consult their common interest. The right hon. gentleman maintained that the interest of agriculture would not be affected by the tax upon malt, and that agriculture was amply protected by the act prohibiting the import of foreign corn, but under certain circumstances.

Mr. *George Lamb* would oppose all the proposed taxes, as oppressive to the lower orders, though not in an equal degree. He had been alluded to as having put a question to the chancellor of the exchequer some time ago, as to his intentions about imposing a duty on malt. He had been induced to put that question, not by the brewers, not by dealers or publicans, but by a large class of his constituents, who were drinkers of beer, and who foolishly thought that a tax on it would raise the price of the article. The answer was, that the chancellor had no intention of imposing new taxes, but it left an impression on his mind that if he did impose new taxes, a tax on malt would be one of the first. The chancellor of the exchequer had rested his opinion on the evidence of a gentleman before the brewers' committee, but it would require a great deal more than that evidence to convince him that we could tax an article without raising its price. Could the right hon. gentleman exert such influence over the brewers as would prevent them from throwing the tax on the consumer? He well remembered that when the war duty was abolished, they agreed that they would not reduce the price, but would improve the quality of the article. And what security had the public, that although they might not increase the price, they would not now deteriorate the quality? He protested against all new taxes till every source of economy and retrenchment was exhausted.

Sir *J. Sebright* supported the taxes generally, but professed himself hostile to the tax on malt, as it affected agriculture.

Mr. *Brougham* said, that if he understood the chancellor of the exchequer rightly, the tax was to fall upon the brewers principally, and not upon the growers of those commodities which the brewers used. That tax amounted to more than 1,400,000*l.*; and yet this tax was not to cause any increase in the price of beer! The result of it was to be, that the price was neither to rise nor fall. The grower was not to suffer by it; the consumer was not to suffer by it; all the pressure was to fall upon the severe and rapacious brewer. The right hon. gentleman had brought forward and eulogized upon all occasions the testimony which had been given by Mr. Barclay. He had no intention to make any objection to those panegyrics, because he believed them to be perfectly well-founded. Indeed, he intended to allude to his evidence in support of the view which he himself was inclined to take of this subject: that gentleman, whom he was proud to call his friend, had said that the effect of this tax would oblige him to pay 45,000*l.* out of the flourishing concern over which he presided. If this were really the case, it would entirely absorb all the profits which he ought to derive from the talent and capital which he expended in his business. But did any man in his senses really believe that the whole of this expense would fall upon the brewer? The brewer would repay himself for the capital which he advanced, and the expense would thus fall upon the manufacturer in the first instance, though ultimately it would press most severely upon the grower of barley. One of the arguments which had been used by the chancellor of the exchequer was, that no relief had been obtained by the consumer, in consequence of the arrangements made in 1816, because the price of beer had not been reduced in value. That argument had been ably answered by an hon. friend of his, who had defended the profession to which he belonged, with a warmth of feeling that did him the highest honour. He had said that the price of beer would have fallen still more considerably than it then did, had it not been for an unfortunate dispensation of Providence, which followed close upon the arrangement to which he had previously alluded: though the duty of 16*s.* had been repealed by parliament, and though the brewers had at the same time made a reduction of 1*s.* 6*d.* in their beer, the badness of the subsequent harvest, and the high price of grain resulting from it, rendered the reduction of a very short duration. Though these causes had not ceased to operate, the chancellor of the exchequer thought that he could now lay a tax on malt without increasing the price of beer; he could not help denominating this scheme one of the most visionary which had ever entered into the brain of man. He would beg leave to tell him, that the fall in the price of beer had been owing to the taking off the malt war tax, and that the rise had been owing to the badness of the harvest. Half the malt tax duty was now to be reimposed; and yet they were to be told, that no diminution of the consumption of the article, and no rise in the price, were to occur in consequence of it. But how long would this be the case?—till the present extraordinary importation of barley had ceased. The best method which he knew of protecting our agricultural interests, was not by levying a tax upon the grain of our own farmers; especially as it was a staple article in certain of our counties; and if it would not ruin, would cause embarrassment little short of ruin, to those who inhabited them. Surely barley was sufficiently taxed already. It now paid nine millions of taxes. When this was the case, was the imposition of such a tax fair in point of justice, or politic in point of revenue? The chancellor of the exchequer had no pocket authority, which he might quote on all occasions, to prove that the tax on spirits would not raise the price of that article. He was glad of it, because it would be a great benefit to the community to raise the price of spirits by taxation, giving, however, such a time to the lower orders to be weaned from that pernicious beverage (to which, indeed, their late misery and distress might have addicted them), to such a height as would put it out of their power to purchase them. He did not say this with the intention of taking this money out of the pockets of the poor, but with the intention of making them return to the good, sound, wholesome, constitutional beverage of the country—beer, made of malt. Upon all these grounds, he must strenuously oppose, not merely this tax, but all the others. They were all equally opposite to the principles of sound political economy, and were each as injudicious as the malt tax.

Mr. *Coke* declared himself to be against all new taxes until an experiment had been made of what might be done by retrenchment. Besides, of all the taxes which could possibly have been devised, the malt tax was the most oppressive. He had no doubt that the government had received the memorial which had been sent from the county of Norfolk, complaining of the distress of the agriculturists; and yet with this memorial before them they had come forward with a new tax which would press most heavily upon his constituents. The government ought to lower and not increase this impost. In that case, the consumption of barley would be increased, and the interest of the agriculturist in consequence improved. He should oppose any tax upon wool, tea, coffee, &c.; but he should oppose with still greater vehemence so unjust and impolitic a tax as it was now proposed to lay upon malt.

The committee then divided upon the malt resolution: Ayes, 198; Noes, 97: Majority, 101.

### *List of the Minority.*

Allen, J. H.
Althorp, viscount
Anson, hon. G.
Buxton, T. F.
Barham, J. F.
Baring, sir T.
Barnett, J.
Becher, W. W.
Bennet, hon. H. G.
Birch, J.
Brougham, H.
Calvert, N.
Calcraft, John
Calvert. C.
Cavendish, H.
Carter, John
Crickitt, R. A.
Coffin, sir I.
Coke, T. W.
Coke, T. W. jun.
Curwen, J. C.
Davies, T. H.
Denman, T.
Duncannon, visct.
Dundas, hon. L.
Dundas, hon. G.
Dundas, Thos.
Dundas, C.
Ebrington, visct.
Fellowes, hon. N.
Fellowes, W. H.
Fazakerley, Nic.
Fitzgerald, rt. hon. M.
Fitzgerald, lord W.
Gooch, T. S.
Gordon, Robt.
Graham, Sandford
Griffiths, J. W.
Guise, sir W.
Gurney, R. H.
Honywood, W. P.
Hume, Jos.
Hurst, R.
Hutchinson, hon. C. H.
King, sir J. D.
Lamb, hon. G.
Lambton, J. G.
Latouche, Robert
Lefevre, C. S.
Lloyd, sir E.
Lyttelton, hon. W.
Maberly, John
Maberly, W. L.
Macleod, R.
Milton, visct.
Martin, J.

Merest, J. D.
Mills, G.
Monck, sir C.
Newman, R. W.
Newton, W.
Newport, rt. hon. sir J.
North, Dudley
O'Callaghan, J.
Osborne, lord F.
Pitt, W. P.
Portman, E. B.
Primrose, hon. F.
Parnell, sir H.
Pelham, hon. G.
Philips, G.
Phillips, C. M.
Powlett, hon. W.
Prittie, hon. F. A.
Price, R.
Pryse, Pryse
Rickford, Wm.
Ricardo, D.
Ridley, sir M. W.
Ramsden, J. C.
Robarts, A.
Robarts, W. T.
Rowley, sir W.
Russell, R. G.
Rumbold, C.
Sebright, sir J.
Sumner, G. H.
Smith, W.
Smith, hon. R.
Stewart, W.
Stuart, lord J.
Wodehouse, E.
Webbe, Ed.
Wharton, J.
Wilkins, W.
Wilson, sir R.
Wood, ald.
Waithman, Robt.

TELLER.

Grant, J. P.

Two other divisions took place, upon motions made by Mr. Bennet, that the chairman should report progress, and ask leave to sit again; the numbers on the first were, Ayes, 57; Noes, 191. The numbers on the second were, Ayes, 40; Noes, 185. Mr. J. P. Grant warmly opposed the new taxes, as bearing with peculiar severity on the lower classes of the community. On the several resolutions respecting tea, tobacco, pepper, coffee, and British spirits, he proposed amendments, the object of which was, to confirm the existing duties. The amendments, after some discussion, were all negatived without a division; and the original resolutions were agreed to.

## HOUSE OF LORDS.

*Thursday, June* 10.

MARQUIS CAMDEN'S TELLERSHIP BILL.] The Earl of *Liverpool* said, he should not think that he discharged his duty to the public, if he moved the second reading of this bill without saying a few words to call their lordships' attention to its nature. The office, their lordships knew, had been given to the father of the noble marquis, as a reward for eminent services he had performed to his country. Whether, in the exercise of the prerogative of the Crown the granting of such an office was the best way in which rewards for public services could be given, was not a question now to be discussed. Though at the time the grant was made, it could not have been contemplated that the emoluments would prove so great, it was unquestionable, that the noble marquis had a full right to all the income of the office, and all the contingent profits derivable from it. This was not the only sacrifice the noble marquis had made. He relinquished a considerable part of the emoluments from the year 1798 to the peace of Amiens. From the year 1813 to the conclusion of the late war, he made a further sacrifice, and the whole amount of the interests he had given up could not be less than 100,000*l.* On the present occasion he need not call to their lordships' recollection a sacrifice which had been made by another noble marquis (Buckingham) now no more; but it perhaps was not known to all who heard him, that the noble marquis to whom he alluded had made application to have his office put on the footing of the regulated tellerships of the exchequer. He would not now enter into the circumstances which had prevented this arrangement from taking place. It was sufficient to state, that it was in the power of the Treasury to have accomplished it. The sacrifices made by the marquis of Buckingham amounted, however, to at least 42,000*l.*

The Marquis of *Lansdowne* concurred in opinion with the noble earl as to the right of the Crown to give the offices in question, and the right of the two noble marquisses to the full emoluments. This question was totally independent of the propriety of making such grants. He concurred, as he doubted not all their lordships did, in every sentiment that had been expressed in approbation of the conduct of the two noble persons alluded to.

The bill was read a second time.

STATE OF THE NAVY.] The Earl of *Darnley* made some observations on the papers relative to the state of the navy which had been lately laid on the table. From the perusal of those papers, he admitted that in no former period of our naval history did the navy appear on the whole to have been in a state of greater efficiency in time of peace. He spoke strongly in approbation of the exertions of Mr. Seppings, whose improvements had been of great advantage. But, notwithstanding the praise which he thought generally due to the Admiralty, there were some particulars with respect to the state of the navy which he thought it right to notice, as they might be of importance in the case of the country being involved in a contest. He could not overlook the naval power of America, which the events of the last war had tended to raise to a state of consideration. It appeared from the papers, that means had been taken for building ships of larger dimensions, corresponding with those of the same rates built by other powers. It was known that the American 2 deck ships were superior to those of the same rates built in this country, both as to guns and men. He did not, however, think that it would be advisable to have all the ships in the British navy raised to the same scale. To attempt such a measure would be only a useless waste of money. The American frigates were of a very superior class compared to the scale on which British frigates had formerly been built; but he could not think it necessary that all the British frigates should henceforth be built on so enlarged a scale. He thought it would be better to build frigates of a size between those formerly fitted out by this country and the American frigates. This seemed the more advisable, as the latter could not be expected to be very numerous. In the present state of the country, economy in every department was most desirable, but he did not think the naval service one in which economy ought to be too rigidly enforced. Every reduction that could be made, consistently with the great object of having the navy in an efficient state on the commencement of a war, ought to be carried into effect, but nothing more should be attempted. He thought the number of ships in active service on foreign stations might be more, and the number of guard ships less. This change would produce a state of greater efficiency without materially augmenting the expense. He had heard that the regiments of marines were reduced in numbers below what might have been expected, but he hoped that useful corps would be preserved in such a state of efficiency, that, in case of a war unfortunately occurring, it might be employed with the usual advantage to the service. The practice of impressing seamen had been long a subject of complaint and regret. He was afraid, that on a sudden emergency, the navy could not be manned without the impress. It would, however, be advisable for their lordships to consider how far the evils of that practice might, without public inconvenience, be diminished. He concluded by moving that the papers be printed.

Lord *Melville* expressed his acknowledgments to the noble lord for the candid and handsome manner in which he had spoken of the state of the navy. He concurred in the propriety of this country building ships on a scale similar to those with which our navy might probably have to contend. It was the duty of the legislature to be prepared to maintain, on any emergency, that naval supremacy which the country had acquired. With respect to the dimensions of ships of war, it was true that some were building on a scale considerably beyond what had formerly been thought proper for the same rate. He did not, however, think that all the two-deckers of the navy ought to be raised to that scale. Many vessels were wanted for convoy and other purposes in time of war; and frigates and ships of the line might be so employed, though not constructed on so large a scale as those of other powers with which the country might happen to be at war. At the same time he did not concur with the noble earl in his opinion, that it would be proper to build ships of an intermediate size between the scale hitherto adopted in the navy and that of other countries. He did not think it right to place the officers of the British navy in a situation which would compel them to go into action with a great disparity of force. With regard to what the noble lord had said, as to the number of guard ships compared with the other ships in commission, he thought that upon reflection he would perceive that there was no disadvantage in that arrangement. The men employed in the guardships could be removed to others at a moment's notice; and the having them ready for such a transfer would be very useful on any emergency. The noble earl had alluded to the state of the marines, and he concurred with him in his view of the propriety of maintaining that corps in an efficient state. No force was, in his opinion, more useful; and any report of an intention to reduce them to a scale lower than that of the last peace establishment, was founded in mistake.

The papers were ordered to be printed.

ROMAN CATHOLICS RELIEF BILL—DOCTRINE OF TRANSUBSTANTIATION.] Earl *Grey* said, he had hoped that the bill, the second reading of which he now rose to move, would have met with the general concurrence of their lordships. That hope was founded on the reasonableness, as it appeared to him, of the bill itself, and the admission, that doctrines, of faith, considered with regard to religion only, were not a ground for the exclusion of Roman Catholics from the enjoyment of the advantages of the British constitution; and that no reason remained for maintaining that exclusion, except their acknowledgment of foreign spiritual supremacy, which it was contended rendered it impossible for them to give to a Protestant government a sufficient security for their allegiance. After these admissions, he had thought there could be no objection to a bill which merely proposed to repeal declarations required of a religious and dogmatical nature, relating entirely to questions of faith and doctrine, and which had no reference whatever to the supremacy of any foreign power. He had therefore expected, that a proposition for the repeal of these declarations would not have been resisted; but he was told, from an authority which he could not doubt, that the bill he had introduced was to be met with a most determined opposition. It became, therefore, incumbent on him to state the grounds on which he thought their lordships ought to pass it. The bill proposed to abrogate two declarations enacted by the 25th and the 30th of Charles 2nd. The former was required on admission to office, and the latter to a seat in parliament.

Before he proceeded to inquire on what grounds it could be thought reasonable to maintain these declarations, he would briefly call their lordships attention to the state of the times in which the laws he wished to remove from the statute book had been passed. The 25th of Charles 2nd was commonly called the Test act, and it could scarcely be necessary to remind their lordships of the state of agitation which prevailed in the country when that law was enacted. It passed in the year 1673, when parliament met, after repeated prorogations, with the country in a state of great irritation and alarm. The king was suspected of being a Catholic; the queen was known to be one; the duke of York, also a Catholic, the next heir to the crown; and all the principal offices of the court were filled by Catholics. The act of Non-Conformity had been suspended by proclamation, for the purpose of favouring Catholics. There was a camp at Blackheath commanded by the duke of Schomberg, a foreigner, and most of the officers were Roman Catholics. These troops had been assembled for the very purpose of overawing parliament. A war, too, had recently commenced against Holland, the only protestant power in Europe in which civil and religious liberty then found protection. If such were the circumstances under which the act of the 25th of Charles 2nd had passed, those which existed at the time of passing that of the 30th were still more remarkable. In addition to all the circumstances he had already stated, with a court and government so hostile to civil liberty, the mind of the country was irritated by the disclosure of the popish plot, and the evidence of Titus Oates, and others. The circumstances of dismay under which these acts were passed, accounted for their intolerant nature. Every Roman Catholic was then regarded as a conspirator, and an enemy of public liberty. It was therefore against crimes attributed to Catholics, and not against their religion, that these laws were enacted. They were considered necessary safeguards, while the monarch was suspected of being a Catholic, and his successor avowedly of that religion. That it was in this spirit these measures had been adopted was abundantly proved by the other severe statutes, which not only excluded Catholics from office, but even deprived them of civil existence. It was only on a principle of great jealousy and apprehended danger that the passing of such laws in a free state could be accounted for.

Happily, these cruel laws had been repealed in more temperate times. Still, however, some intolerant acts were retained, and there were none which, in christian charity and justice, their lordships were more bound to remove than those which it was the object of the present bill to abrogate. The Roman Catholics were now regarded in a very different point of view from that in which they were contemplated when these acts passed. The imputations on the moral principles of the Roman Catholics had been disclaimed; on that disclaimer parliament had acted; and never had the humanity of the legislature been more completely justified than by the conduct of the Catholics since the severe disabilities under which they laboured had been removed. The oaths which had at different times been formed in order to be administered to persons taking office or entering into parliament, had all one object, namely, to separate spiritual from political supremacy. The noble earl opposite (Liverpool) had admitted that there is nothing immoral in the Roman Catholic religion. Every imputation of that kind he acknowledged to have been satisfactorily disclaimed and disproved. He stated almost in the words of the declaration, that it is not because they believe in transubstantiation, in the invocation of the Virgin Mary, or of Saints, or in the sacrifice of the Mass, that they are excluded from the benefits of the British constitution; but that before they can be admitted to the full enjoyment of their political rights, it is necessary that the legislature should be satisfied that the spiritual authority they acknowledge is so separated from temporal authority, as to enable them to give a perfect allegiance. That the doctrine of transubstantiation, the invocation of saints, and the other doctrines he had alluded to, did not, in the opinion of the legislature, carry with them any moral or civil disqualification, was proved by acts which had already been passed for the relief of the Roman Catholics. He would appeal, in support of this opinion, to the acts of 1778 and 1791, passed for the relief of Roman Catholics in Scotland. The preamble of the act of 1778 contained a declaration of this principle. It referred to an act of the Scots parliament passed in the reign of king William, requiring Roman Catholics to make a renunciation, according to formula, of transubstantiation and other articles of their faith; and declares that the act ought to be repealed, as the formula contained only speculative opinions and religious doctrines. A clear distinction was made between temporal and spiritual authority; and the same principle governed the act of 1791. Thus he had not only the admission of the noble earl opposite, but the authority of an act of the legislature itself, for saying, that the speculative opinions or religious dogmas of the Roman Catholics ought not of themselves to form the ground of exclusion from office, or a reason for political disqualification. Why, then, continue these declarations against transubstantiation and the invocation, which related merely to speculative opinions? Was not the oath of supremacy, by which the temporal and spiritual power of the pope was renounced, sufficient to secure the legislature and the higher offices of the state from the admission of Roman Catholics? He hoped it would not now be necessary to prove, that no political or civil disqualification ought to exist, on account of any doctrine that did not affect the character of the person who maintained it, as a good member of society or a loyal subject. That the declarations which the present bill was introduced to repeal was no test of obedience or loyalty, would appear from their nature. The first declaration which was imposed by the act of the 25th of Charles 2nd was directed against those who believed in the doctrine of transubstantiation. The second, or that of the 30th of Charles 2nd, went further, and declared the doctrine of transubstantiation, and the invocation of the Virgin Mary and of the saints, idolatrous and superstitious. Now, he would ask, if it was necessary to exclude the Roman Catholics from office and power, was it likewise necessary to denounce their belief and revile their worship? Must it not be galling to that body, not only to be denied the privileges to which their fellow subjects were admitted, but to hear themselves branded as the votaries of a blind superstition, and the partisans of an idolatrous worship? But how could the Protestants in most cases take these declarations, or subscribe these oaths, without some feelings of doubt and some scruples of conscience? It had been a general complaint against most governments, that they had imposed useless oaths, and thereby weakened the solemn obligation which an oath implied; and from this charge we were not wholly exempt. Previous to any noble lord taking his seat, he was obliged to come to the table of the House, and to take those declarations against transubstantiation and the invocation of saints—doctrines and practices which they had never examined; thus converting into a mere ceremonial and matter of course the most solemn act that could bind the conscience. Had all their lordships examined the tenets alluded to with such attention, as to be able on conviction to declare them idolatrous and superstitious? Did they understand distinctly what the Roman Catholics meant by transubstantiation or the invocation of the Virgin Mary? Did they know sufficiently what was meant by the sacrifice of the Mass; and could they declare, that in the sense in which it was understood by the Catholic body, the ceremony was idolatrous and superstitious?

He was sure that many of their lordships would admit, that they had never seriously considered these questions, and that they would find it difficult, with a safe conscience, to make any declaration on the subject. On this account he thought that their lordships could not resist a revision of that part of the statute-book by which such a test was imposed. The doctrine of transubstantiation, which was declared to be idolatrous, did not differ so widely from the doctrine of Protestants on the same subject, as to authorize them to declare so strongly against it; nor, in the sense in which it was understood by the Catholics, could it be called idolatrous. The Catholic maintained, that in the sacrament the elements were changed, and that he enjoyed the real presence of that Deity to whom all worship and adoration were due. How could this be called idolatry, in the sense in which the Catholic understood the doctrine of transubstantiation? But was this doctrine so different from the doctrine of the Protestants of the Church of England, or so inconsistent with the text of scripture, on which the belief of both was founded, as to warrant the epithet applied to it in the case of the Roman Catholic? Their lordships, as members of the Church of England, must of course believe, that the interpretation of the Catholic was wrong; but it was their duty not to revile the conscientious belief of others who differed from them, but to attribute their difference of opinion to a fallibility of judgment, and to consider that only one omniscient being could unanswerably decide between them. It ought to be recollected, that no two churches agreed in the interpretation of the text of scripture, which the Roman Catholic appealed to, as supporting the doctrine of the real presence; while the church of England, and other Protestant churches, drew from it doctrines that differed only by such slight shades, as the generality of those who took the oaths might not always sufficiently examine so as to be able to come to the decision required. The Roman Catholic believed, that in the sacrament of the eucharist there was a real transubstantiation of the elements into the body of Christ; the church of England believed in what was called consubstantiation; and the Calvinist in a mysterious union of the soul of the worshipper with the saviour, through the sacred symbols: in one way or other the doctrine of the real presence was adopted by them all. Was not something very similar to the doctrine of the real presence believed in by the most early reformers? Was it not the belief of queen Elizabeth? Was it not that of archbishop Laud? The real interpretation of that part of the sacred scripture could only be given by the Divine Author of the scripture; and no difference of opinion upon it could authorize us to renounce that charity which was the common and undoubted duty of all, or to use those reviling terms that we applied in a solemn oath to the worship of the Roman Catholics. In confirmation of this opinion, he begged leave to call the attention of their lordships to a letter of a very eminent divine of the Church of England—he meant archbishop Wake. That reverend divine had engaged in a controversy with the doctors of Sorbonne, but had candidly admitted, that in many things the church of England and the church of Rome maintained the same doctrines and practised similar rites. [Here the noble lord read a quotation from a Latin letter of the archbishop, in which he allowed the similarity between the doctrine and discipline of the two churches.] The attachment of this divine to his country, his loyalty to his sovereign, and his conscientious adherence to the tenets of the church at the head of which he was, could not be doubted; and yet he admitted, that in a comparison between the church of England and the church of Rome their articles of faith differed very little, their discipline still less, and that in fundamentals they were nearly the same. Adverting again to the doctrine of transubstantiation, the noble earl observed, that it had not been considered as idolatrous by many eminent Protestants. In confirmation of this position, he quoted the opinion of Mr. Waller, of sir William Temple, and others. Bishop Burnet had mentioned, that at the framing of the declaration the bishop of Ely objected to it, and contended that the practice of the church of Rome, in the administration of the eucharist, could not be called idolatrous. The noble earl produced other authorities in support of this opinion, and called upon their lordships, on these grounds, to agree with his bill in abolishing a test which unnecessarily declared against the dogmas of another church, and reviled a religion which on the point in question, was so little different from their own.

On the impropriety of such epithets as idolatrous and superstitious, as applied to the Roman Catholic tenets, he would not further enlarge; but as he understood there were objections to the repeal of the act in question, he would endeavour to answer them as well as he could. He would have found it difficult to know what these objections were, had he not met with a statement of them—a paper, which contained the resolutions of a certain body of men against the present bill, on which a petition was to be founded, which, as far as he knew, had not yet been presented to the House. This paper evinced the same spirit as had been manifested against the bill which he (lord Grey) had introduced to another House in 1807, which excited at that time such clamour, and produced such consequences; and it was some consolation to him to reflect, that as the hostility to that measure had subsided when its objects were better understood; and as it had received the sanction of parliament without creating any alarm, without leading to any discussion, or meeting with any opposition; showing, that what was resisted at one period, and in the hands of one man, as dangerous and disastrous, was adopted at another, and from a different quarter, as wise and salutary: so it might happen with the present measure, which he might have expected to have been received with indulgence, if not with favour. It was, however, to be opposed, and the resolutions which he had alluded to stated the grounds. He could not say that the noble lord on the woolsack had had any hand in drawing up that paper; but from the technical terms in which it was expressed, from the particular phrases which were used, the style of thinking that it evinced, and the precision of the ideas that it contained, he did not doubt that it had come under his revision, and expressed his sentiments. The noble and learned lord had said, that our constitution was fundamentally Protestant, and the first resolution stated nearly the same thing; he said, "that the British constitution and government are essentially and fundamentally Protestant, and the Protestant religion forms the great security of the public happiness and welfare of this country, as established and secured by a solemn national compact at the period of the Revolution, and by the acts of the legislature which happily settled the crown of these realms upon his majesty's august family." The second resolution stated, "that, being sensible of the religious and political blessings enjoyed under the sway of the royal house of Brunswick, and convinced that upon the maintenance of that compact and of those acts of settlement, the safety of his majesty's person and government—the continuance of the monarchy of England—the preservation of the Protestant religion in all its integrity—the maintenance of the church of England, as by law established—the security of the ancient and undoubted rights and liberties—and the future peace and tranquillity of this kingdom, do (under God) entirely depend, this meeting is filled with alarm when the least attempt is made to abrogate any of the laws, or subvert any of the securities, by which those inestimable privileges are held." He was ready to give praise to those who supported the Protestant constitution, and were ready to guard the church from any danger with which it was threatened; but he should wish that they would show the same resolution to support the constitution, the rights and liberties of the people, on other occasions when they were assailed. In the third resolution they profess, "that, by the wise policy of our ancestors, Roman Catholics were excluded from bearing certain offices, and from the legislature and councils of the nation; and by stat. 39, Car. 2, it was enacted, "that no peer of the realm, or member of the House of Commons, should vote or sit in parliament, until he should take the oaths of allegiance and supremacy, and make, subscribe, and audibly repeat the declaration, against transubstantiation and popery." The fourth resolution stated, "that the meeting has been informed that a bill has been brought into parliament, and is now in progress, in which it is proposed, that the declaration against transubstantiation, required by the statute 25th Charles 2nd, and the declaration against transubstantiation and popery, required by the statute 30th Charles 2nd, shall no longer be required to be taken as a qualification for holding any office or place of trust from his majesty, or under his authority, or for sitting or voting in either House of parliament; provided that nothing therein should dispense any person from taking the oaths of allegiance or supremacy." The fifth resolution was as follows:—"That although the said declarations against transubstantiation and popery contain only a renunciation of certain opinions entertained by Roman Catholics, yet they form, in the opinion of this meeting, the principal test by which Roman Catholics are to be ascertained, and without which the oaths of allegiance and supremacy are not sufficient to exclude Roman Catholics from parliament, and from situations of political power."

Now, he apprehended that the petitioners were wrong in what they said about the necessity of taking these declarations as precedent to becoming members of the privy council, or being invested with political power; and he would maintain, that there would be the same securities against the admission of Catholics after the passing of this bill as before. The oath of supremacy was a sufficient guard against admission into parliament. With respect to the great offices of state, neither the oath of supremacy nor the declarations were required to be taken before entering on their duties; and a bill of indemnity passed every year, to secure from penal consequences those that had neglected so to qualify themselves. When the House heard of the other securities besides those declarations, it would naturally inquire what they were. They were three—the oath of allegiance, which a Roman Catholic could take; the oath of abjuration, which, after the exiled family of the Stuarts had become extinct, it was a solemn mockery to take; and the oath of supremacy, which the Catholic could not take. This last oath must therefore, in the judgment of this meeting, have appeared unavailing without the declarations in question. They say that they were in a state of great alarm, therefore, about the repeal proposed by the present bill; and as alarm was not usually a reasoning state of mind, they had accordingly stated no arguments to justify their apprehension of danger. How could they suppose that the oath of allegiance would be unavailing as a barrier against the admission of Catholics to offices from which they were now excluded? He saw no reason for a suspicion that this oath would not as effectually exclude the Catholic from any office to the taking of which it was a qualification, as it and other tests put together. It had always been effectual for that object. Many Catholics had been in the army and navy, and even in parliament, after the passing of the act by which this oath was imposed; but it was by special dispensation from it by the Crown. If they were admitted to office, it was therefore not by taking the oath for the purpose of breaking it, but by the special favour of the Crown relieving them from the necessity of submitting to it, and suspending in their behalf the existing laws. The declarations against transubstantiation had not been introduced because the oath was ineffectual for its object, but because the Crown had dispensed with it. This had happened with regard to the admission of Catholics into offices of power and emolument. Their lordships knew, that, though the declarations were enacted to prevent any Roman Catholic members from being admitted into the House of Commons, no member who had a seat at that time was excluded; while the case was different with the House of Peers, because Roman Catholic peers before that time sat by dispensation from the Crown. It would appear, that from the 5th of Elizabeth, when the oath of supremacy was made, to the restoration, no Roman Catholic had obtained a seat in the Commons' House of parliament. Writers mention no exclusion. He had searched the Journals, and did not find an instance of a member deprived of his seat on account of his Catholicism. Such a circumstance would have been mentioned had it occurred. In 1640 a commission had been appointed to inquire whether any improper persons had got into the House, and not one Roman Catholic was found. At the time when the acts of the 25th and 30th of Charles 2nd were passed, their declared object was, to prevent Catholics from getting into parliament, not to drive out any who were already members. Now, was it possible that no trace should be found in Burnet, or other cotemporary historians, of an expulsion of a member on account of his having taken the oath of supremacy, while a Catholic, if any such instance had occurred? He was therefore entitled to conclude, that the act of Supremacy was sufficient, from the 5th of Eliz. to the 30th of Charles 2nd, to guard the door of the House of Commons against the admission of Catholics. If, then, in point of fact, this oath had been effective when these declarations did not exist, what reason was there for believing that if the declarations were repealed it would not be equally efficient? Why was the oath altered for Ireland in 1792, unless because it could not be taken then as it stood? The oath of supremacy excluded before that time gentlemen from the bar, and accordingly no Roman Catholic was a barrister. It also excludes the English Catholic from voting at elections; and, he believed, none voted. They might, indeed, vote where the oath was not administered, or in the tumult and confusion of the election there might be instances of their taking it; but that no more proved that the Catholic was regardless of an oath, than the taking of a Custom-house oath, or a bribery oath, by a Protestant, which he broke, proved that all Protestants would perjure themselves. He was therefore entitled to infer, that it operated an absolute exclusion. He had heard, indeed, of one instance of an elector, in Devonshire, to whom the oath was tendered, which he refused to take. If the oaths themselves were scarcely an adequate security, declarations must be still more ineffectual.

In the seventh of those resolutions to which he had alluded, it was asserted that the Romish church granted no toleration to those who did not participate in its communion, and that therefore there could be no peace or security for those who professed a different creed, and lived under its authority. It was true that a principle of persecution might be found amongst its ancient canons; but it was not just or candid to infer, that the practice of the Romish church corresponded with their spirit. He would put it to the right rev. prelates whether the true character of our own Protestant church could be ascertained from the tenets and doctrines promulgated in the homilies of many celebrated divines; he would appeal to them whether the 18th article, or that part of the liturgy which it had been the well-known wish of our pious sovereign to see withdrawn, were congenial to the pure spirit of Christianity. In their relation to political subjects, they would form an equally wrong test of the principles on which our ecclesiatical establishment was founded. Their lordships must recollect that a decree had been passed at one time by the University of Oxford, inconsistent with the justness of those means by which the Revolution was accomplished—a decree which, if itself right, would render it impossible for the reigning family to hold any legitimate power in this country. He entreated them, however, to consider what the actual policy of the Romish church was in those states where it formed the established religion. In every country, save one, toleration was extended to all modes of religious worship. We had ourselves been the means of restoring that one country to a situation which enabled it at the present moment to seek the degradation and oppression of its own colonies. In France the legislature, as well as all civil and military offices were accessible to persons holding opposite opinions on questions of faith. The same policy had been adopted in the Netherlands, in Austria, in Hungary, in Saxony. The converse of the proposition was therefore strictly true, and it appeared that the Roman Catholics did allow to those belonging to a separate communion from themselves a liberal toleration. The practice in Rome itself was equally mild and tolerant; the venerable prelate who filled the papal chair, and the cardinal who acted under him, had not objected to the celebration of divine worship in that capital according to the ritual of the church of England. There were noble lords now present who had attended on such occasions, whose carriages had waited at the doors, and who could testify that it took place with the utmost freedom and facility.

There was one other resolution of considerable length, with regard to which he felt it his duty likewise to offer a few observations. It represented, that the Catholics regarded certain oaths as null and void; and that the Pope had himself, a few years ago, published a proclamation to his subjects, wherein he authorized them to take a distinction between active and passive oaths. It had cost him some time to discover the exact meaning or allusion intended to be conveyed in this proposition, and he might now venture to state that there never had been a grosser perversion or misrepresentation. It was true, that the Romish church held that oaths, in themselves unlawful, were not binding; but was the same principle maintained by all the great authorities on public law? If an oath were taken repugnant to the allegiance which a subject owed to the state, it would be an offence, and the execution of it would be a second. The same rule applied in the case of an established religion; and it was an unfounded calumny on the church of Rome to assert, that the doctrine was peculiar to her. If a Roman Catholic should take the oath of supremacy, he separated himself from his church, and that separation would be followed by a denial of its sacraments. Such was the doctrine of every church in modern Europe. He had hoped that after the repeated discussions which the subject had undergone in that place, and the ample information derived from so many quarters, an exploded calumny, ascribing to the Romish church so unsocial, so detestable, and damnable a doctrine as that of not preserving faith with those of a different religious persuasion, would not at this moment have been revived. But, if oaths were inadequate to bind the Roman Catholics, how could a declaration, which had not the same solemnity, be expected to secure that object? As to the distinction between active and passive oaths, it was with considerable difficulty that he had been able to trace its origin. In a work, however, of some value and interest, containing a relation of the French occupation of the Papal territories, he had found an explanation. A requisition had been made by the French emperor to the Pope, and the king of Naples, in 1808, to join in the war against this country. The Pope refused, his dominions were invaded, and he himself was conveyed a prisoner into France. It was then he instructed his subjects in the difference between an active and passive oath, by allowing them to show a passive obedience to a power which they could not resist, and restraining them only from any active service in its support. What was there in this which every other government would not have felt itself authorized, and even bound to adopt, in a similar emergency? Had Buonaparté ever succeeded in occupying any portion of the British territory, had he landed in Ireland, would the noble lord have hesitated to recommend a like proceeding? He would ask the prelates on that reverend bench, whether, because subjects submitted to an usurping invader, it was their duty likewise to join his forces against their lawful sovereign, in virtue of the oath of temporary obedience which had been exacted from them? He had been at some pains in his inquiries upon this point, because he understood that considerable stress would be laid upon it. The proposition, however, was too plain to admit of argument; and he could not witness an attempt made to revive unfounded prejudices against a large body of deserving men, without feeling it to be his duty to refute and repel those prejudices. The noble and learned lord had admitted that the oath of supremacy ought not to be dated from the reign of Henry 8th, but that it formed part of the common law, and had, therefore, been established by our Catholic ancestors. If the Roman Catholic could take it with a safe conscience, there was no reason why he should not be put on the same footing as other dissenters. But it was unjust to require declarations to be made, which could be attended with no useful effect, and which cast opprobrium on the religious principles conscientiously entertained by others. He had but one more observation to make. If he were asked, why he, who had so much at heart the success of the Roman Catholics in their claims to a full enjoyment of every constitutional privilege, was thus anxious for a measure which would not advance that object, he answered, that although this bill did not open either House of parliament to them, or qualify them to hold office, it relieved them from a stigma and an opprobrium, and our own church from the painful necessity of thus condemning doctrines with which it did not agree. Whether all futher concession was to be refused, or parliament was to go on in the beneficent work, the completion of which would so materially strengthen our security, no Catholic could hear without soreness, and no Protestant pronounce without regret, sentiments opposite to every feeling of good-will and calculated to produce only jealousies and divisions. If they were determined to concede no further privileges, at least they should abstain from adding insult to injury, and reflect that it was their own interest to occupy a safe and tenable position. On the other hand, should a conciliatory policy be adopted with a view to the final adjustment of this great question, it would have the more beneficial effect by being preceded by a measure that would evince a sympathy for the honest and conscientious scruples of those in whose favour it was passed. Upon these grounds he now proposed to their lordships the second reading of the bill.

The Bishop of *Norwich* said:—Unaccustomed, and in general, very unwilling, to address your lordships; upon the present occasion, I rise, with great satisfaction, to second a motion, which, as it strikes me, those only can consistently oppose, who are prepared to maintain, that religious opinions, merely speculative, and having no influence whatever on practice, may notwithstanding, be justly made a ground, for excluding respectable individuals from situations of honour and emolument in a state; or rather, from the capacity of holding such situations; a capacity, which has been considered, by some of the ablest men, whom this country ever produced, as ranking among the common rights of subjects, unless it can be clearly shown, that the principles in question, are obviously injurious to the welfare of the government, or incompatible with the due discharge of our social, moral, or political duties. I say, clearly shown, for five millions of loyal subjects are not to be proscribed because certain persons, in defiance of reason and of experience, and of plain common sense, unreasonably suppose, that they understand the tenets of the Roman Catholics better than they do themselves; a supposition, the reverse of which is, certainly, far more likely to be true: at all events, a benevolent and unprejudiced man, sincerely anxious to obtain accurate information upon the subject of that apparently unwise policy, which forbids us to grant an extension of civil privileges to a numerous class of individuals who are said to entertain religious opinions, which render them unfit for the enjoyment of such privileges, would take some pains to learn, from the best sources, what those opinions really are; and with a view to this end, he would surely prefer the testimony of credible witnesses now living; he would prefer their avowed sentiments in various publications; above all, he would prefer their declarations upon oath, to any account, given by persons of the same religious persuasion, who lived many ages since; ages of comparative darkness, and superstition; still less, would he pay regard to the representation of an angry controversial opponent. This, however, is not the course which we pursue: on the contrary, we persist obstinately, in disbelieving all that the Roman Catholics say, and in disregarding all that they write; and not only so, but in opposition to every canon of legitimate controversy, we object to them doctrines, which, in the imputed sense, they unequivocally deny; and we charge them with consequences, following, in our judgment, from the doctrines which they do admit; but which consequences they do not acknowledge: and to fill up the measure of insult and injustice, we affect to be surprised when they complain, and say that they are never to be satisfied; "as if," says Mr. Burke, "there were no other mode of curing this disposition of mind, but by continuing to give them cause for dissatisfaction."—The glaring impolicy of this conduct, has been so often pointed out, that it would be presumptuous in a man of my profession to dwell upon a topic, which has been so repeatedly discussed; but I will offer a few of the many religious considerations which induce me to support most cordially this motion. I am perfectly aware, that I tread upon very tender ground, but "he that walketh uprightly, walketh surely." I shall therefore with unreserved frankness, mention two or three of the principal objections which I have to the declarations in question. To begin with the declaration against transubstantiation:—your lordships well know, that this declaration was the ill-omened offspring of the fictitious plot of an infamous informer: a plot, which, in addition to the many other evils it occasioned, was the cause of the legal murder of an amiable peer (viscount Stafford), and the consequent illegal attainder of his family. Let others speak as they feel: to me, there is something very incongruous, at least, in the idea of any religious test as a qualification for civil offices; and of all tests, a sacramental test, or any thing in the smallest degree approaching to it, when applied as an instrument for the exclusion of some, and the admission of others, into these offices, is, by far, the most exceptionable; not to mention, that a test of this description, though it will certainly exclude men of honour and piety, is no bar whatever, to Infidels, to Deists, or to Atheists; who are not apt to be troubled with scruples upon such occasions: this observation applies equally of course to the declarations now under the consideration of your lordships, against transubstantiation and the invocation of saints; but setting aside this argument, I wish to ask any serious man, whether it be not a gross impropriety, and in some measure a profanation, to make our sentiments respecting the nature and design of the most solemn rite of our religion, a rite, ordained by our Divine Master, for the commemoration of his death, and of the benefits which we derive from it, benefits which assuredly have a reference to another world; to make, I say, this solemn rite, a mere scaffold, by which we climb to high situations in this world; whether it be not in effect,

> "To make the symbol of atoning grace,
> "An office key, a picklock to a place,"

as one of the most interesting of our modern poets beautifully illustrates the idea.—I shall probably be told, that an oath is a religious test; but the parallel between an oath and a sacramental test, will not hold, as has been almost demonstrated by one of the most learned and pious prelates, who ever had a seat in this House, in his celebrated discourse in "Vindication of the Common Rights of Subjects," against a much more ingenious, and much more formidable opponent in all respects, than has ever since appeared as an advocate for disabilities and restrictions on the score of religion merely.—To return, however, to the formula more immediately under our consideration, I wish to state another very weighty objection; it is this: In the course of a protracted life, I never made the declaration in question, without experiencing the most unpleasant of all sensations, the sensation of self-reproach; when I recollected, that I had pronounced four parts out of five, of the Christian world, to be superstitious and idolatrous; including in the number; a Fenelon, a Pascal, a Bossuet, and "Marseilles good bishop"—besides many most valuable men, now living, who are allowed, on all hands, to adorn by their lives and conduct, the religion which they profess; and I am firmly persuaded, that if it were not for the ambiguous meaning of the words made use of in this declaration, and the glorious uncertainty of the law, arising from this ambiguity, there are very many who hear me, who would experience the same unpleasant misgivings, when they take their seat in either House of parliament.—Such, my lords, are the natural consequences of a declaration, which reviles, in the most revolting terms, one party, and lays a snare for the other. Let an heathen moralist palliate the conduct of philosophers, when they paid an external homage to the ceremonies of an unhallowed religion, which they inwardly despised, by saying that they deemed such matters to be "tanquam legibus jussa, non tanquam Deo grata"—the excuse is but a sorry one in the mouth of a Pagan, and is still less allowable in the mouth of a Christian. I do not mean to say, that with some ingenuity, a satisfactory mode of making this declaration may not be devised; I have satisfied my own mind; but I am still of opinion, that, upon so solemn an occasion, no ingenuity, no skill in the interpretation of language, should ever be called for. It will perhaps be said, that I arraign the wisdom, and the justice of the legislature, in requiring such a test, and that I rashly attempt to introduce an important innovation. What, my lords, were those benevolent and enlightened men, who voted for the repeal of the writ "de Heretico comburendo" accused of arraigning the wisdom, and the justice of the parliament? or, were those who afterwards, to their honour, voted for the repeal of the laws against witches, accused of this presumption? Was that honest and patriotic senator, and very able lawyer, who so lately pointed out, with all the force of argument, and all the charms of eloquence, the severity of the criminal code, was he, I say, accused of arraigning the wisdom and the justice of the legislature?

> "Haud timeo, si jam nequeo, defendere
> crimen,
> "Cum tanto commune viro."

To the charge of attempting to innovate, I shall shortly reply, that the question is, or at least ought to be, whether a law be just, and reasonable, not how old it is, for time can never sanctify injustice.—With respect to the doctrine of the invocation of saints, the doctrine has, in past ages, been abused, and that it may sometimes be abused now, I am ready to admit; but it should always be remembered that intelligent Catholics do every thing in their power to correct this abuse; and censure it, whenever it occurs, as strongly as any Protestant can do. He who will accurately and impartially compare, what is said in "The First Catechism of the Catholics," in "The Catholic Manual," in a well known work, the title of which is, "The Papist Mis-represented and Represented," and in an excellent work, "The Principles of Roman Catholics with Reference to God and the King;"—he, I say, who will without prejudice, compare what is stated in these publications upon the tenet in question, with what is said by Nelson, in his explanation of the Collect in our Liturgy, appointed for All Saints'-day, will find a very striking coincidence both of thought and of expression. Those who wish for farther information upon the subject of the religious principles of Roman Catholics, will do well to peruse attentively, letters lately written by an amiable and learned Catholic prelate, who is, at this moment, going out under the immediate sanction of government, to the Mauritius [Right Rev. Edward Slater, bishop of Ruspa].—Upon the whole, my lords, I do most earnestly implore your lordships, to repeal declarations which contain an unjust and vilifying censure upon the doctrines of millions of our conscientious fellow Christians, and loyal fellow subjects; and are also a stumbling block in the way of many a serious member of the church of England, when he takes his seat in either House of parliament.—I say not this upon my own judgment merely, for that would be saying very little; but upon the authority of several of our most eminent divines, not to mention, our great moral writer, doctor Samuel Johnson: but I will detain the House no longer; admitting, for the sake of argument, that these declarations were expedient in the reign of Charles the 2nd, when, as the noble earl truly observed, a papist (for such was then the opprobrious appellation in constant use), was regarded as of course a dangerous enemy to the state;—will it necessarily follow, that they are expedient now? The Test act has been long termed the main pillar of our ecclesiastical establishment, and is still so called by some; but others (and I think more justly), deem it as nothing better than a time-worn buttress, which deforms and disgraces the building it was intended to support. Is there a single individual of education in the united kingdom, who now contemplates, in the character of a Roman Catholic, a being so much to be dreaded; a being, against whose wicked designs to undermine both church and state, it is wise and prudent to insist upon such an apparatus of precaution? No, there is not one. The precautions, then, being in the opinion of the public unnecessary, to say nothing more, they ought to be repealed.—"The gospel no where demands from us such precautions; the church, which judgeth not those that are without, wants them not; the commonwealth, which should embrace indifferently all men, who are loyal, peaceable, honest and industrious, requires them not."* These, my lords, are the words of that wise, and good, and great man, whose authority has so often been appealed to, in the course of the various discussions which have taken place in this House upon the Catholic question. May his sentiments make the same impression upon the minds of your lordships, which they have long made, and still continue to make, upon my own; you will then, without hesitation, accede to the motion of the noble earl.*

The Archbishop of *Canterbury* observed, that by some persons he had been described as so surrounded with prejudices and so influenced by interest, as to be capable of taking only a limited view of this subject. He might be liable to the charge of prejudice, but he could assure their lordships that he had no interest in it, except a common interest with all of them, in the security of the Protestant government in church and state. He regarded the present measure as having in view the same end with a more general proposition which had recently been decided, with this difference—that if carried, it would arrive at that end, not by the circuitous means of a committee, charged to consider deliberately in what manner and to what extent further indulgences might be safely granted, but a single effort, and by blotting with a single stroke from the Statute book what was now the only insurmountable obstacle to the admission of Roman Catholics to parliament. It was said, that the 30th of Charles 2nd was only a renunciation of a dogmatical tenet, but the effect of it was, to point out distinctly who was a Roman Catholic. He as a Protestant, would not quarrel with a Roman Catholic on the ground of his religious principles; he might lament his errors, but he was at the same time disposed to reverence his integrity. The declaration against transubstantiation, as he had before said, he considered as the great obstacle to his admission to the two houses of parliament. There was, also, the oath of supremacy: but the noble lord had himself argued, that until the 30th of Charles 2nd, Catholics sat in both Houses of Parliament.

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* Locke on Toleration.

* *Note.*—"Norwich, June 18, 1819.—My opinion upon the subject of the Catholic question (the most important which has engaged the attention of the public during the times we live in) is, not the casual offer of prejudice or precipitation; but of much reading, much consideration, and much converse with men of different religious persuasions; with men of all parties, and of all professions: if, therefore, I err, it is not for want of an honest, impartial, and sedulous enquiry after truth. Under such circumstances, I should be ashamed of myself, if I felt the least reluctance to avow publicly, sentiments, which I have maintained in private, for nearly half a century; and which I shall never cease to think, are much more consistent, not only with Christian charity, but with the real interest of our civil and ecclesiastical establishment, than the exclusive spirit which prompts some of his majesty's ministers to pursue a line of conduct which bids fair (and at no distant period) to endanger the peace and welfare of that very Protestant ascendancy, for the security of which they express so serious an alarm, if seven respectable noblemen, and perhaps twice as many independent commoners, be allowed to have a seat in parliament! That, in the nineteenth century, such an idea should induce a great majority of the most enlightened assembly in Europe, to oppose a motion, enforced with argument so conclusive, and with eloquence so persuasive, as were displayed in the late debate, by earl Grey, and lord Grenville, both of whom are as decided friends to this ascendancy when rightly understood, as any two men in the united kingdom, is a melancholy proof, that to the bulk of mankind, whether in the higher or the lower ranks of society, the remark of Seneca is equally applicable: 'Creditur, non judicatur; sequimur antecedentium gregem, euntes belluarum ritu, non qua eundum est, sed qua itur.'

"Henry Norwich."

Earl *Grey* said, across the table, that he had alluded only to the upper House.

The Archbishop of *Canterbury* observed, that he had a distinct recollection of this argument having been urged by more than one noble lord on a former occasion. If, then, the oath of supremacy was not of sufficient force to exclude the Roman Catholics from parliament and from the great offices of state, the proposition now made would arrive *instanter* at that point which many noble lords conceived to be most dangerous to the country both in church and state. He sincerely believed that the noble earl who had introduced the bill was as firmly attached to the constitution as any man, but he requested their lordships to look at the character in which Roman Catholics sat in parliament at the periods to which the noble earl had alluded. They sat there under the danger of a *præmunire.* If we brought them back now, we should bring them back absolved from all those penalties. They would be brought back very different creatures from what they were under the reign of Charles 2nd. This was a very perilous experiment, and he knew nothing equal to it, except in the reign of James 2nd, when the government was administered by a Catholic king, assisted by a Protestant House of Lords and a Protestant House of Commons. It was now proposed, that a Protestant king should reign, and that the laws should be framed by a Roman Catholic House of Lords, and a Roman Catholic House of Commons. In this dangerous age of experiments, when so many innovations had been made—when, in a neighbouring country, morality, social order, and good government, had been overthrown, and even Christianity itself annihilated, should this nation, in the pursuit of a political experiment, throw away the blessings of a constitution which had saved us from so many perils? He was aware that individuals, and sometimes states, did not avail themselves of the advantages which belong to experience; but he hoped that their lordships would not lose sight of the dangers we had passed, and that they would hesitate before they exposed this country to new and hazardous experiments. For all these reasons, he felt it his duty to oppose the motion.

The Earl of *Liverpool* said, that he did not feel himself called upon to go at any length into the question proposed by the noble earl, because, on some of the points he was not aware that he had any great difference of opinion. In every period of his life, he (lord Liverpool) had supported the continuance of the Test acts; and he still thought them necessary for the preservation of our religious and civil liberties. From what had been stated by the right reverend prelate who spoke first, it appeared that this motion was founded on the necessity of abrogating the Test and Corporation acts altogether; and if he looked at the present measure as impolitic and dangerous, it was not so much on its own account as that it was an attempt to remove all those barriers at once. He was old enough to recollect when the repeal of the Test laws was the subject of controversy during a whole session. What was the principle on which it was resisted both by the legislature and by the country? It was that they were a weapon in our hands to protect and secure our civil and religious liberties; and that, while they existed, they were a most essential barrier against any attempt on the church and constitution. The noble earl had said, that he conceived there might be many individuals who had great scruples of conscience in making these declarations. He had objected to the words "superstitious" and "idolatrous." These words were applied to the invocation of saints, the adoration of the Virgin Mary, and the sacrifice of the mass; and being so applied, he (lord Liverpool) had never felt any difficulty in making those declarations. What was to be the effect of this measure if it passed? Was it or was it not to have the effect of admitting Roman Catholics into offices of state, and into parliament? He fully agreed that no respectable Roman Catholic could be admitted into parliament as long as the oath of supremacy remained; but when it was admitted, that Roman Catholics, after the framing of that oath, sat in the House of Lords, he could not trace any period when they were members of the House of Commons. But if the oath of supremacy operated as an exclusion, what benefit could the advocates of this measure promise to the Roman Catholics from the repeal of the oaths in question? He thought that the repeal of these oaths might be beneficial in one sense; and if he were satisfied that, by conceding this point as a point of feeling, their lordships were putting an end to the agitation of this question, he should have no objection to accede to the proposition of the noble earl. But had the noble earl stated, that if this bill were carried, those who advocated the claims of the Roman Catholics in that House would abstain from bringing them forward again, year after year? Not a word had been said on that subject. What possible benefit, then, was to be derived from this measure, if it was merely to leave the question in all other respects just where it was. The right reverend prelate had told their lordships, that it was a step to more important measures: he had frankly stated, that he considered it as a step to get rid of all religious tests whatever. He (lord Liverpool) would cheerfully admit, that it was right and proper to consider the feelings of Roman Catholics; but then he would say, that it was the duty of their lordships to consider also what might be the feelings of the Protestants. He did say, that when a proposition was brought to that House to repeal some of the most ancient tests in this country, he could not see what benefit could arise from adopting a measure which might do some harm, but which could do no good whatever.

Lord *Grenville* said, he had a totally different view of the subject from the noble lord who had just done, and had also a different idea of its policy and wisdom. After the very able and eloquent speech of his noble friend who had made the motion, it would be unnecessary for him to add any thing to the statement so luminously laid down, and he should therefore confine himself to a few of the arguments against the motion. The noble lord then recited some of the provisions of the act of Elizabeth, and contended that persons who were entitled by their birth to a seat in that House, ought not to be deprived of it on mere presumption and false accusation, but only when imperious necessity called for such being the case. He would ask their lordships then, why the descendants of those brave men who had shed their blood in several cases for their country, and had laid the first foundation of its liberties, should be now debarred from their rights? True, that had taken place in the profligate and disgraceful reign of Charles 2nd, but why should it be continued now? Certainly their lordships ought to pause before they any longer debarred from their rights those who were entitled to those rights by their birth, and the merits and valuable services of their ancestors. With astonishment he had heard it said that the Catholic tenets were friendly to a divided allegiance. He had conversed with many of that body on this subject, and never yet did he meet a reasonable Catholic who could bear the idea of this divided allegiance. The allegiance they gave was undivided, and what the law required. Let their lordships look at the oath upon their table. They had there distinguished between allegiance and supremacy, because oaths of allegiance were taken in this country long before any oaths of supremacy were framed. Every man was bound to swear true allegiance to the country. What was allegiance? Obedience to the king in his courts of justice, obedience to him in his legislature, and in the executive ministers of his government. This was the allegiance which, he trusted, every man in this country bore to his sovereign, and this was the oath which the Roman Catholics took in the same sense in which it was taken by their lordships. There was no law in this country to enable the king to impose religious penalties on any man. If a man submitted himself to that obedience which the laws have given to temporal subjects, that was the obedience which the Roman Catholics professed. If that infatuated sovereign who attempted to re-establish the Roman Catholic religion in this country had required of his subjects that they should join in the doctrine of the mass, how would their allegiance have bound them to conform to that? How, then, did the repeal of these oaths release the Roman Catholics from their allegiance? If it were asked of him, what he thought of the invocation of saints, of the adoration of the Virgin Mary, and of the sacrifice of the Mass, he could have no hesitation in declaring that he thought it would be idolatrous in him to join in such worship. But, would their lordships venture to say, that this oath was not repeated by many, not as relating to their own worship, but in the calumnious sense of reviling the worship of their fellow subjects? "Begin," said his lordship "by silencing these atrocious libels against your fellow subjects: instead of magnifying grounds of disunion, show that it is the constant endeavour of the legislature to conciliate, not to exasperate and to reconcile and hold together, if not in one common bond of religious belief, at least in one bond of political union, all those who boast the same origin, who obey the same laws, whose veins glow with the same blood, which has been shed in the same cause, though not by all with equal chance of honourable remuneration." But if the interests of the Catholics were entirely out of the question, and if no other reasons existed but what regarded the personal feelings of their lordships, he would implore them, for their own sakes, to blot from the Statute-book, the necessity for using any longer those disgraceful, unjust, degrading calumnies, which must be as disgusting to those who were compelled to utter them, as to those against whom they were ordered to be pronounced. He called them disgraceful calumnies, because he was convinced that with all the prejudice which might still exist against the Catholic faith, with all the exertions that had been made to inflame the ignorant and unthinking, no reasonable man out of doors, not one he was sure of their lordships, would undertake to say, that the religion of Fenelon was idolatry, that Fenelon (he mentioned him merely as a familiar instance out of many), worshipping according to the sincere dictates of his conscience, was a man to be shunned and degraded as a profane worshipper of idols. The real state of the case was this: the Catholics believe (erroneously, according to our principles of belief), that what is possible to Almighty Power is done by Almighty power; and this, in the instance of transubstantiation, they believe on a sincere interpretation of that same sacred authority on which we Protestants believe the other miracles thereby recorded. In all this there might be error, perhaps the grossest error, but there was no idolatry: on the contrary, there was a pure feeling of devotion, addressed, according to the measure of belief, to the common God of Catholics and Protestants. In us, indeed, who were Protestants, and whose opinions were of a different cast, such a profession of faith would be gross idolatry; and in that sense only could conscientious Protestants take the oath against the doctrine of transubstantiation. But the declaration oath further said, that the sacrifice of the mass was idolatrous. Now, of the eight hundred in both Houses who lately took that oath, he would confidently ask how many had read the mass book? how many could give any intelligible account of what that was which they solemnly swore to be idolatry? He remembered a bold expression of one of our poets: it was "one eternal now." Now, this "one eternal now" seemed to be the language of the declaration oath; it was applied to the sacrifice of the mass as practised in the time of Charles 2nd, it had been applied ever since, and was applied now, though the ceremony so denounced might have been repeatedly varied, perhaps entirely altered, in the interval. Was it not, then, a solemn mockery in the legislature, to persist in taking an oath, on a subject on which they knew little, and perhaps had not reflected at all; and if this applied to their lordships, how much more must it apply to churchwardens, to constables, to custom-house officers, to all those who took it in shoals at every quarter and petty sessions? was it not better at once to remove this habitual disregard to the most sacred of all obligations—this constant appeal to the Creator, by men not even professing to understand what was the nature of the appeal? But there was still another objection that struck him. He could imagine a conscientious Protestant, who might believe that the sacrifice of the mass was erroneous, but not idolatrous: ought such a man to be excluded from parliament? He remembered that bishop Burnet, and Mr. Evelyn, in that most valuable book which threw more light on his cotemporary history than any publication that had come down to us, had both referred to a most excellent churchman (Herring) who held the opinion that the sacrifice of the mass, though erroneous, was not idolatrous. If that man had been excluded from parliament for such belief, the legislature would have lost one of its brightest ornaments—one of the few men who, in times of violent persecution, at the greatest personal risk, had maintained an asylum where the members of the church of England might resort to hear the pure doctrines which they loved—who had kept the light of his church burning, when all around was the darkness of bigotry. Another great ornament of the church, the famous archbishop Sheldon, had maintained a similar opinion, and he also must have been excluded by this oath. He therefore called upon their lordships, first, to relieve themselves from the opprobrium of uttering a calumny against their fellow subjects; next, to relieve all Protestants from an oath so disgusting to their sense and feeling; thirdly, to put an end to that habitual reproach and invective against a class of fellow Christians which, abhorrent as it must be to their lordships feelings, could only be looked at with complacency by certain ignorant or designing persons, who referred to this legislative abuse as the best argument of continuing the Catholic exclusions. In saying this, he meant no allusion to any of their lordships, but only to means that had been employed out of doors; for he was happy to say, that in doors a total change had taken place, and he hailed it as an omen of still better times, and as a proof of the certain progress of truth, benevolence, and kind feeling. He wished their lordships to be consistent and honest. They all professed that it was improper to exclude Catholics for religious belief, but thought that there was some civil difference of opinion which threatened danger and ruin to the state, if even one hereditary peer should sit among their lordships with the title earned by the virtues of his ancestor, should he happen to believe in purgatory, or if one member should be added to the House of Commons incumbered with the belief of transubstantiation. Thus, professing to have nothing to do with religious, but only with political opinions, their lordships, with strange inconsistency, put two tests—one merely political, the other merely religious. Now, how could the Catholics believe their lordships' professions to be sincere? Their lordships said to the Catholic—"We exclude you, not for reasons of faith, but for reasons of state." The Catholic came forward and said, "Well I take you at your word; I cannot change my religion, but I am ready to pay the same dutiful allegiance which is required from every Protestant subject. Now give me your tests." Your lordships then take care to give him a test which binds him to reject every article of his faith. [Cheers.] "Do, you," exclaimed his lordship "speak truth? Are you just, are you honest, when you profess abhorrence at excluding any man for his religious opinions, and yet offer him, as the only condition of coming among you, the disclaimer of his religious belief? What is it you mean? Is it you, or is it he, that must palter with the most sacred of all things—an oath? If indeed your lordships believe that persons holding such religious tenets are unfit to sit among you, in God's name say so fairly and directly; but if you believe such a doctrine on your part will be a breach of your duty to God and man, why keep this test? I conjure you for your own honour, for the honour of your government, in the name of truth, of conscience, and of common honesty, expunge from your Statute book an oath which has made England a by-word of reproach among the nations of Europe. Be just to yourselves as well others: let your professions and your actions accord; and cease to do in fact, what you are ashamed to avow in principle." [Continued cheering.] For himself, he should be dealing most unfaithfully with their lordships if he did not avow his hope and belief that if this test were abolished, things would not stop there. When the exclusion rested on the oath of supremacy alone, Catholics and Protestants might examine more carefully and calmly what was the amount of the civil difference of opinion between them; and he had little doubt that the result would be to wipe away the foul reproach cast upon us by the enlightened of all nations. That absurd sophism about divided allegiance would be heard no more. Protestants and Catholics would feel assured of a complete security in the conscious enjoyment of equal rights. At present the Catholic was insulted and calumniated for his religious belief, and when he asked for political advantages, he was not allowed even the means of explaining on what ground he asked them. But let him once be treated as he ought to be treated; let the insulting calumny against his doctrines cease to exasperate his mind, and then see if he cannot as well as the Protestant discharge all the duties of "true allegiance" which a subject owes to his lawful sovereign. A right reverend prelate had objected to the motion as isolated, and had asked, why was not the House called upon for a general inquiry? About a month ago, when a general inquiry was moved for, the objection was, Why do you not bring forward some specific measure? "We have (said his lordship) accepted the challenge; we have brought forward a specific measure, and now you say, we have no objection to this measure; but come with us into a committee, and then we will show you another measure to which we have a strong objection, and for the sake of that, we will reject both."

The *Lord Chancellor* began by paying some high compliments to lords Grey and Grenville, for their ability and eloquence, and then proceeded to exculpate himself from any share in the resolutions alluded to by the former. He disavowed any knowledge of them till he had seen them that morning. Addressing himself to the question before the House, he contended, that the law of the land, as expounded by its ablest writers, had defined "true allegiance" to be allegiance to the constitution in church and state, and he maintained, that the oath required by the statutes of Henry 8th and Elizabeth was merely declaratory of the common law. It was somewhat miraculous that the Whigs of the present day should denounce the Declaration act, as if it had proceeded from that most wicked king, Charles 2nd. What! had they forgotten that it was re-enacted after deliberate discussion in the first parliament of William, the founder of our civil and religious liberties? Some persons with a profusion of something which seemed meant to be law and logic, but which in his mind was neither, had held up the act of Indemnity as if it protected the Catholics as well as Protestants. Now, the act of Indemnity was no more than this; it saw that the establishments of the country were sufficiently guarded by proper enactments, and it then said, that it would not rigidly punish every non-observance, but would be content with keeping in its hands the power of exacting obedience when it thought proper; and to make all sure, this indulgence was only annual. What, then, was meant by the extravagant proposition, that a judge might act on the bench without taking the proper oaths, and then claim the indemnity. The real fact was, that every judge took the oath upon entering office; but, supposing it to be otherwise, was it not monstrous to think that a judge would disgrace himself by breaking the laws which he was called to maintain? The noble lord then argued at great length, that, from the time of Charles 2nd to the time of William, who had sanctioned the act of Charles 2nd, it had been thought necessary, for the preservation of our civil and religious liberties, that Papists should not be allowed to sit in parliament; and the consequence was, that some test was absolutely necessary by which it might be ascertained whether a man was a Catholic or a Protestant. Now, it was obvious, that this could only be done by some oath declaratory of religious opinions. It was, as Dr. Paley had observed, perfectly just to have a religious test of a political opinion; nor was there any more breach of charity or violation of justice in excluding a Catholic, by requiring from him the fulfilment of certain conditions, than there was in disqualifying a Protestant who had not 300*l.* a-year. He therefore called upon the House, as it had any regard to the constitution in church and state, as settled by the glorious Revolution, and mainly preserved by this very oath, not to commit the unpardonable crime against posterity of transmitting to them their civil and religious liberties impaired or endangered.

The Earl of *Harrowby* said, he would support the motion, though he doubted the expediency of reviving the subject so soon. What he had heard from his noble and learned friend who had just sat down was not calculated to remove his regret at this renewed discussion; for his noble and learned friend had advanced doctrines, in opposition to the motion, which he had trusted were for ever abandoned. His noble friend, indeed, professed his unwillingness to exclude men on account of their religious belief, but the inference from his speech was directly contrary to its declaration; for if his approbation of the Test act arose from its demanding of every man whether he was a Catholic or Protestant, what was this but approving the principle of exclusion for religion? And as to the other ground that it was no more than a religious test of a political opinion, what need of this additional one when one existed already? The only purpose which the Declaration act answered was, to exasperate the feelings of the Catholics, and disgust those of all reasonable Protestants. For himself, he did indeed believe, that many of the practices of the lower orders of the laity and priesthood in Catholic countries were idolatrous; but he saw no idolatry in the recommendation of the council of Trent, the great authority of the Catholic church. It was remarkable, too, that the venerable men who had deliberately framed the articles of the church of England had not called transubstantiation and the adoration of saints by such hard and violent and abusive names as were used by the framers of the declaration-oath, in the midst of the senseless panic arising out of a pretended plot. The articles called these doctrines merely by the term of "a fond thing." Why, therefore, should their lordships be compelled to adopt abusive and insulting language, which the church itself had not thought it necessary to use? His learned and noble friend had laid great stress on the circumstance that the Declaration act, though originally passed by Charles 2nd had been sanctioned and confirmed by William, and had called it a free and deliberate act of his first parliament. Surely it was not necessary to tell their lordships, that there never was a period when calm deliberation was less likely to be exercised in any matter relating to the Catholics than in the first parliament of William. The whole nation was exasperated against the Catholics, the Catholic king just banished was in arms to regain the throne and re-establish Popery, if he could. Surely this was not a time for any alleviation of the laws against Popery. The time of the Popish plot itself was hardly less suitable for a favourable consideration of the subject. No such reasons existed now for galling and insulting the feelings of our Catholic brethren; and the more pure our own religion was, the less fitting was it that we should make it an instrument of abusing the religion of others. He was not so proud of the character of a "good hater," as a celebrated man had professed himself to be; he thought it very possible to be a good Protestant without calumniating the doctrines of the Catholic; and he was desirous, for one, to be relieved from the necessity of using expressions abhorrent to Christian charity, and shocking without object the feelings of our fellow men.

Earl *Bathurst* said, that the question was, whether the oath of supremacy was sufficient to exclude Catholics from parliament? He thought not; and this he gathered from the preamble of the 30th of Charles 2nd; for if the oath of supremacy had been reckoned sufficient, all that would have been necessary in framing the act of Charles would have been to require their lordships to take the same oath heretofore taken by the Commons. Both Houses were therefore included in the new act, and the declaration was added, on the conviction that some further security was necessary to keep Catholics out of parliament. The noble earl proceeded next to show that the reference in the preamble of the bill before them to the 31st of the king indicated this to be only the first step to take away the oath of supremacy, and declared that upon this ground he must oppose it.

Earl *Grey* replied with great animation. After repelling the imputation of attempting to effect ulterior objects by any insidious means, he contended that the act of Charles 2nd had been occasioned by the blind fury which agitated the minds of men of all ranks, and not by the presence of any Catholics in parliament. He now stated, after accurate inquiry, that Catholics did not then sit in parliament. The application by certain Protestants to the learned lord on the woolsack, he could not, when he considered the character of that noble lord, and his uniform disposition on this subject, ascribe to very pure and perfect zeal. It was not the intention, and it would not be the effect of this bill, to introduce Catholics into parliament: its object was conciliation. If they would apply this test, let them do it at least in decent terms. Upon what pretence could the learned lord apply the charge of superstition and idolatry to the Catholics? The invocation of saints and the sacrifice of the mass, as understood by intelligent Catholics were neither superstition nor idolatry. While no two sects agreed as to speculative opinions, and scarcely any two individuals of one sect agreed, what ground had we to pronounce this anathema against the Catholics? While the whole Christian world, up to the time of Henry 8th, and four-fifths of the believers of the blessed Gospel at this day, received those doctrines as sacred, with what modesty or sense could we pronounce them superstition and idolatry?

The House then divided: Contents, 49, Proxies, 33; 82. Not Contents, 72, Proxies, 69; 141. Majority against the bill, 59.

## HOUSE OF COMMONS.

### *Thursday, June* 10.

GAOL DELIVERIES.] Mr. *Western* rose, pursuant to his notice, to bring forward a motion, the object of which, he said was, to obtain a more frequent Delivery of the Gaols of those unfortunate persons who now often lay six, seven, and even eight months in prison, before they are brought to trial. It was possible some gentleman might think that a proposition of that sort, which tended to a material alteration in our present system of administering the laws, would have been better in the hands of some honourable gentleman who was a member of the learned profession; but the House would see that his proposal did not involve any intricate question of law;—it did not involve any consideration of doubtful justice, or even, he thought, of doubtful policy. It was founded upon a plain and obvious principle, which, at all events, in the abstract, would meet universal acquiescence and approbation; namely, that no man should be punished before he is brought to trial. And he then contended, that the interval between the summer and the Lent assizes occasioned a duration of imprisonment before trial, which was in effect a most severe punishment, and which could not be justified upon any plea whatever. He said, he was aware that any alteration of the criminal law of the country, or even of the established mode of administering the criminal law, should be received in the first instance with jealousy, and adopted with great caution; but his proposition went in effect to no alteration, other than as affecting those who have the labour of carrying the law into execution. There was no alteration even of any part of the process of the law,—the sole object was, a more frequent delivery of the gaols, and by that means to effect an alleviation of the suffering of long imprisonment, and the removal of that disgrace to the jurisprudence of the country, which, he contended, was brought upon it by inflicting such a punishment upon men before they were tried, as now was frequently the case.—Mr. Western here went into a variety of observations, th show that a more frequent delivery of the gaols would be more congenial to the spirit of the constitution; and he thought he should be able likewise to show, that it would be more conformable to the law of the land, to the ancient law certainly, and even to the unrepealed existing statute law—the institutions of former times,—those enactments, upon which the basis of the administration of justice was founded in this country, strongly marked an anxious desire to protect the subject, not only from unjust imprisonment by incompetent authority, but from long imprisonment before trial also; which, in truth, was always considered as unjust imprisonment. The provisons of Magna Charta evidently had this object in view. Those words, which the statute was made to speak, as it were, from the mouth of the sovereign,—"Nulli vendemus, nulli negabimus aut differemus rectum vel justitiam,"—comprehended an assurance that justice should not be delayed any more than sold or denied. "*Nulli differemus,*" though directed to other cases than that of mere delay, yet was pointed to that also. Lord Coke, when commenting upon this statute, said, "And hereby it appears that Justitia debet esse libera, plena, *celeris*, celeris, quia dilatio justitiæ est quædam negatio. Could it be said that six or eight months imprisonment was not *dilatio justitiæ?*" Lord Coke again observes, upon the writ *de Odio et Otia*, which was granted for certain offences not bailable. "Yet the law did so highly hate the long imprisonment of any man before trial, though accused of an heinous offence, that it gave him this writ." and Mr. Justice Hawkins says,—"The greater the offence charged, the more horrible the sufferings of the person accused, in the interval between his commitment, and that of his being brought before a jury of his country." And again, in commenting upon the statute of Gloucester, lord Coke says,—"Lex Angliæ est Lex Misericordiæ for three causes; first, because innocent men shall not be worn and wasted by long imprisonment; but as hereby, and by the provisions of Magna

Charta, speedily come to trial."—As to the existing law, it was certain that there was an unrepealed statute, which provided, "that the gaols of the kingdom should be delivered three times a year, and more often, if need be;" and that lord Coke considered that statute to be the law of the land at the time he wrote. The present justices or judges of assize and *Nisi Prius* came into use in the room of the ancient justices in Eyre, *justiciarii in itinere*, and are more immediately derived from the stat. of the 13th of Edward 1st c. 30, which says, "From henceforth two justices sworn shall be assigned, before whom assizes shall be taken, and they shall associate one or two discreetest knights, who shall take the assizes three times in the year." And then points out those stated particular times. By the stat. 27th of Edward 1st c. 3, these justices of assize were made also justices of gaol delivery, in these words:—"We for the utility of our realm, &c. have ordained, that justices assigned to take assizes in every county, immediately after the assizes taken, shall remain, and by our writ shall deliver the gaols of all manner of prisoners, after the form of the gaol deliveries before-time used." Here then we see the justices of assizes and Nisi Prius, who were appointed to take assizes at three stated times in the year, are directed, after they shall have taken their assize to deliver the gaols; and, it must be presumed, that after each and every such taking of assizes they did so deliver the gaols. An act was afterwards passed in the fourth year of the reign of Edward 3rd, c. 2; the title of which describes it to be an act by which the authority of Justices of Assize and Gaol Delivery, and Justices of the Peace, was pointed out; and by which it was ordained, that "good and discreet persons, other than of the places, should "be assigned in all the shires of England "to take *Assizes, Juries*, and *Certifications*, and deliver the *gaols* at least *three* "times in the *year, and more often* "*if need be*." Lord Coke, commenting upon the commission of Gaol Delivery, and referring to this statute, says,—"By "the LAW OF THE LAND, *ne homines* diù "*detineantur in prisonâ;* but that they "might receive *plenam et* celerem *justiciam*, "this commission was instituted, and by "this commission gaols ought to be delivered *thrice* in the year, and oftener if "need be:"—thus using the very words of this statute, and showing that he considered, at the time he wrote, that the law of the land required that the gaols should be delivered at *least* three times in the year. Here then, in regard to the law upon the subject, we have a statute special and direct in its enactments, drawn from the best times of our history, —quoted and commented upon by the first authority,—considered by lord Coke himself not only to be the law, but the glory of the law, that men should not be *long* detained in prison, but should have full and *speedy* justice. Could it be said that a man imprisoned in July, not brought to trial till late the following March, —(and that many such had been, he would show by the papers he had called for),—had received full and speedy justice?—So far from it, had he not in effect been *worn and wasted* by long imprisonment,—had he not seen the summer in great part pass over his head,—if a labourer in agriculture, his harvest lost,—the autumn past,—then a long dreary winter in gaol, and even the spring far advanced, before he is brought before a Jury for his trial, and then perhaps acquitted, as it should be remarked more than one-third of the prisoners tried constantly were.—If then, said Mr. Western, it was considered to be the law, and to be necessary, at the time lord Coke wrote, to deliver the gaols three times a year at least, how much more necessary was it at the time he was speaking, when so vast an augmentation of the number of delinquents had unfortunately taken place, and when at that moment the gaols of the kingdom were crowded beyond what they could contain. He was desirous to point distinctly to the House from the papers upon the table, the effects of the present practice of delivering the gaols only twice in the year. He would show it rather in detail in the first instance, by referring to some of the returns separately, and then the whole collectively; the first he had in his hand was that of the county of Kent. It appeared that at Maidstone last Assizes, there were one hundred and seventy-seven prisoners for trial; of these, twenty-nine were in prison before the 1st of October last, eighty-three before the 1st of January, which, together with those that were subsequently imprisoned, made up a total of one hundred and seventy-seven. By-the-bye, it was evident that one more gaol delivery some time in January, would have reduced the numbers before trial, to be provided for and maintained, and for whom buildings must be erected, from one hundred and seventy-seven to ninety-four, and of course the same in other counties. But the point to which he then wished to call the attention of the House, and which was still more important, was, the injustice which these prisoners had suffered, particularly those in prison before the 1st of October, the *shortest* period of confinement of whom before trial had been six months; nothing could show more strikingly the cruelty of such confinement in prison, than the known fact that a sentence of six months imprisonment was considered sufficient punishment for half the felonies that were committed. But the case became yet stronger when we considered the sufferings of those who were afterwards acquitted; *seventeen* of the twenty-nine above-mentioned *were* acquitted; nine of the seventeen were discharged by proclamation, having no bill found against them, or not prosecuted. On the other side of the return, it appears that twenty-five convicted felons were sentenced to imprisonment, the *longest* period of confinement of whom was six months. It might be said, that some of these were imprisoned some months before trial; but was not this another illustration of the unquestionable injustice of long detention before trial? It was common for the Court to address the prisoner, and tell him, that, in consideration of the time he had lain in prison, his sentence was, to further imprisonment for one month only; two men thus brought to the bar, who had each been in prison five months,—the one convicted, is told that his sentence is one month imprisonment only, in consequence of five already suffered,—the other is put up afterwards, and a jury of his country return a verdict of *not* guilty, yet has he endured five-sixths of the punishment of the one who was convicted: there were three at Maidstone, who, after being about seven months in prison, were discharged by proclamation, whilst various convicted felons suffered six-sevenths only of the punishment (including their imprisonment *before* and after trial), which was inflicted upon these three persons against whom no bill of indictment was found. By the returns of the last Lent Assizes at Chelmsford, the cases were not less striking than those of Maidstone; the total number tried was one hundred and sixty-six. Of these, twenty-five were in prison before the 1st of October; of whom, eleven were acquitted, and of these eleven, six were discharged by proclamation; two were in prison eight months, three seven months and fifteen days, three six months and fifteen days: whilst, on the other hand, sixteen convicted of felony were considered to be sufficiently punished by imprisonment *under* six months. Upon the whole, it appeared by the papers on the table, that four hundred and five of those persons who were tried at the last assizes had been in gaol before the 1st of October, whilst from the annual return it would be seen that eight hundred persons, convicted of felony, suffered under their sentence a lighter punishment than the four hundred and five had experienced before trial. Mr. Western begged the House further to remark that, if there was another gaol delivery some time in January, it would diminish very nearly one-half the total number of prisoners before trial, which it was now neccessary to provide room for in the gaols, and to maintain so many months longer. This was an important consideration under all circumstances, and in the present moment peculiarly so, when our gaols were crowded beyond what they could contain. The House had appointed a committee to inquire into the state of the gaols, the management pursued in them, and the discipline of the prisoners. That committee, he doubted not, would have a wretched tale to unfold. The report upon the table which had been called for by order of the House of Lords, had been communicated to the House, would show a singular state of non-conformity to law, in the condition of most of our gaols, and prove distinctly how much some essential improvements required to be generally enforced. In the first place, it would be seen that eighty-five gaols, which were stated in the return to be capable of containing only 7,263 prisoners, had in them *at one time* 10,628. By the same return, it would be seen how excessively defective are the means of classification. By the 24th of the king, the number of classes or departments pointed out to be essentially necessary, amount to eleven in number; and even these are not sufficient to keep offenders of different descriptions properly separated from each other, and prevent the fatal mischief of associating the young offender with the hardy and inveterate practitioner. Now, out of three hundred and thirty-eight prisons, of all descriptions, it appeared that seventeen only were classed or divided according to law; ninety had only two divisions, merely to separate males from females; fifty-eight had only three; fifty-one, four; nineteen, five, and so on; seventeen only being classed or divided according to the regulations of that statute. In the return it was also stated, that one hundred and ninety-four could not increase the number of their divisions without new buildings, or incurring great expense; others might, with comparatively small expense; and many others were either altering and improving their gaols, or were under directions and orders for that purpose. That same statute gives directions for materials to be found and prisoners set to work; but, in two hundred and seventy-four of the prisons no work at all was done; in sixty-four some work was done. And in some few of those sixty-four a considerable deal had been accomplished. He did not wish to see palaces for prisoners; but the prisons should be airy and healthy, with hard fare and hard labour, and ample means of separating the different characters and shades of guilt. He entreated the House to consider, that if the great work was to be accomplished, to which in fact they were pledged, of improving the gaols of the kingdom, of reforming the present management, and establishing a better discipline, that the measure he proposed would materially aid the accomplishment of their object, by immediately reducing the number of prisoners, for whom accommodation was to be found; and would be essentially useful in various other ways. By diminishing, as much as possible, the duration of imprisonment before trial, the danger of corrupting the innocent, or the young offenders, would be more than proportionally diminished. It was only by the means which time afforded, that the work of corruption and debasement could be accomplished. The first effect of imprisonment might be as salutary as it was painful; but time soon wore away the first impression, and then the effects of example and vicious association began to operate in full force. The mind became paralysed; habits of idleness were easily formed; the character changed altogether; and the unfortunate beings, thus corrupted and debased, were turned loose again upon society, to contaminate and corrupt others. Besides which, the efficacy of the law was lost, by its tardy operation. The hand of justice must strike promptly, to strike effectively.—Mr. Western then said, that he would not anticipate objections that might be possibly urged against a more frequent delivery of the gaols; nor would he attempt to point out the means by which it was to be effected, and which he thought was the business of the executive to devise. It might very probably be remarked, that such additional duty would require an augmentation of the number of the judges; that such would be the case, he thought extremely probable. But, if it *was* necessary, was that an objection? He was of opinion, that the vast increase of business did require an augmentation of the number of the judges. He had no hesitation in saying, that he was also decidedly of opinion that their salaries should be augmented likewise, though the salary had been increased so late as the 49th of the present king, yet it was quite inadequate to the character and duties of the high and important situations which they held. As to the idea of throwing more weight of the business upon the quarter sessions, it was what he certainly did not approve. The sessions had, last year, tried upwards of seven thousand prisoners, out of thirteen thousand. He did not wish to see the magistrates in their sessions take higher classes of offence than they did at present; indeed, at present, he thought they went quite far enough in that respect—four hundred and forty-eight persons were transported by the sessions last year. The burthen of their duties were already, in some places, beyond what the magistrates could well get through; and, if these were to be increased, we should be obliged soon to have pensioned chairmen upon every bench in the country, and which, above all things, he should most deprecate.—He concluded by moving,

"That an humble Address be presented to his royal highness the Prince Regent, humbly to represent to his Royal Highness, that this House has taken into its serious consideration the returns of prisoners tried in the last Lent assizes, in England and Wales, which, in consequence of an address of this House, his Royal Highness was graciously pleased to order to be laid before it; and further to represent to his Royal Highness, that it appears by the said returns, that, of the prisoners tried at the last assizes in England and Wales, exclusive of Middlesex, 405 were in prison before the 1st of October last, which number was increased to 1,270 before the 1st of January, and which was further increased to 2,700 at the commencement of the Lent assizes; that those of the first period had consequently lain in prison from six to eight months before they were brought to trial; those of the second period from three to six months; and together accumulating the total number beyond what the gaols are capable of containing; that this House cannot but feel, that, though the practice has now prevailed for a considerable number of years of delivering the gaols only twice a year, that yet so long an interval as that which occurs between the Summer and Spring assizes, and so long a delay of justice as necessarily follows therefrom, is productive of the most injurious and fatal consequences; that, without detailing the various evils attendant upon long imprisonment, and the obvious injustice of inflicting so severe a punishment before trial, this House thinks it necessary to observe, that it appears by the said returns, that a very large proportion of those prisoners, who have been actually convicted of felony, have been considered to be sufficiently punished by sentence of imprisonment for a shorter period of time than one-seventh of the total number have actually endured before they are brought before a jury of their country; that this House, adverting to the practice of former times, has seen, that in all those enactments on which the basis of the administration of justice is founded, that it has ever been a primary object of the laws to obviate the possibility of long imprisonment before trial; that, without reciting the different provisions that at different periods of our history have been enacted for this purpose, this House will only beg leave to point out and humbly to represent to his Royal Highness, that the statute of 4th Edward 3rd, c. 2, ordains, that 'good and discreet persons, 'other than of the places, shall be assigned 'in all the shires of England, to take 'assizes, juries, and certifications, and 'deliver the gaols at least three times in 'the year, and more often, if need be;' that if it was necessary to deliver the gaols three times a year at that period, that necessity is increased beyond comparison by the vast augmentation of the number of delinquents which has taken place in late years, and which this House has seen with infinite anxiety and regret: and, therefore, under all these circumstances and considerations, to entreat that his Royal Highness will be graciously pleased to give directions that, according to the provisions of the said statute of Edward 3rd commissions of gaol delivery may be issued three times a year, and more often if need be; and that this House will make good any expenses attending the same."

The *Attorney General* contended, that the statute of Edward 3rd referred not to justices of assize, but only to justices of peace, and referred only to a gaol delivery with respect to those minor offences cognizable by the quarter sessions. If the hon. member wished that there should be a more frequent gaol delivery by the twelve judges who constituted the present judicial administration of the country, he could assure him that it would be impossible. There was no class of eminent public men whose duties were so constant, whose time was so completely appropriated to the discharge of their various important functions, as the judges of the land. Even in those occasional cases when what was called a Special Commission was issued, the regular and ordinary administration of justice was necessarily suspended. The hon. and learned gentleman paid a high compliment to the talents and devotion of the great body of gentlemen who as magistrates at the quarter sessions administered the criminal justice of the country with reference to minor delinquencies, and suggested that a great alleviation of the evils complained of by the hon. gentleman might be effected were those gentlemen to extend their public services, by making such an arrangement in their various adjournments, &c. as would enable them to hold a sessions eight, instead of four times in the year. Convicted, however, that a general gaol delivery could not more frequently take place, without an increase in the number of judges, a measure which he must long pause to consider before he could consent to its adoption, he felt it his duty to move the previous question on the hon. gentleman's motion.

Mr. *Bennet* observed, that all parties acknowledged the existence of the evil; the only difference was with respect to the remedy. He was not himself aware of the evils that would arise from increasing the number of judges, but he knew the evils that existed in the present administration of justice. He could not help thinking that government were to blame for not having themselves proposed some specific plan on a subject so pregnant with evils, especially in the Northern counties. He had known a case in one of these counties, in which a man had been imprisoned for eleven months, and eventually the grand jury ignored the bill against him. It appeared that some mistake had arisen in the circumstances which caused the commitment of that person; but although that mistake was soon after discovered, it was impossible to discharge him but in due course of law. This was certainly an extreme case, but other cases of great hardship were constantly occurring. He hoped his hon. friend would persist in his endeavour to give to the people of England what a good police required—that those who committed offences might be speedily brought to justice, and those who were innocent speedily discharged.

Mr. *Bathurst* said, the hon. gentleman who spoke last had mixed up with the subject of the present motion another which had nothing to do with it, namely, that of the Northern assizes. As the courts of law were at present constituted, it was impossible for the judges to afford to all England a greater number of gaol deliveries than was provided for by two assizes. This could only be effected by some alteration in the number or constitution of our courts of law.

Sir *E. Knatchbull* said, as this was a subject that required very great consideration, he hoped it would be taken up at some future period. He hoped the hon. member would withdraw his motion; that the attorney-general would also withdraw his amendment; and that government would, in a future session, take into consideration the various acts of parliament on the subject.

Mr. *F. Buxton* felt that some measure similar to that which was now proposed, was essentially necessary. If the hon. member for Essex should succeed in his object, he would do more to improve the morals of the country than had ever been done by a single individual.

The motion was then negatived.

COLONIAL ESTABLISHMENTS.] Mr. *Hume* rose to submit a motion to the House for a variety of returns relative to the newly acquired colonies of Ceylon, the Mauritius, the Cape of Good Hope, Malta, and the Ionian Islands. All the old colonies, he said, were governed by colonial assemblies; but the newly acquired colonies, amounting in value to a very large proportion of our whole colonies, had this peculiarity attending them, that the government was carried on under the secretary for the colonial department, and that all affairs, however important, were carried on by the colonial governor, who was the only individual entitled to interfere under the secretary for the colonies. The House were not, perhaps, fully aware of the importance of these colonies, of the great revenue of each, and of their great expense to this country. Although the island of Ceylon had long been in the possession of this country, yet he was not aware that up to the present moment, any estimate of the revenue or expenditure of that island was yet in the possession of ministers. From the peculiar manner in which the accounts respecting the colonies were kept, it was almost impossible for any individual to know what they cost. Large bills were drawn from the colonies on the government here, and these bills were not submitted to the House till a year or two after they were drawn. One thing was so mixed up with another, that it was impossible to know for what the sums for which those bills were drawn were expended. This state of things ought not to have continued so long. During the war, when we were in a state of uncertainty, whether these colonies would be retained by us, some justification might have been offered for this system; but in the fifth year of peace, surely it was the duty of that House to see what was the real state of the colonies we had acquired, what was the expense incurred for them by this country, and if found too large, to consider in what way it might be reduced. It might be necessary to state to the House, as one cause of the peculiar interest which he took in this question, that he had himself visited each of these colonies, and that he had, both while there and since, obtained such information as warranted the inquiries which he now called for. By the estimates last presented to the House, it appeared that the total number of troops in our colonies amounted to 30,000 and between 3 and 400. The number of regular troops in Ceylon, the Mauritius, the Cape, Malta, and the Ionian Islands, was 10,240, being one-third of the whole of our military establishment out of England. The pay and clothing alone of this one-third cost 376,100*l.* without taking into account contingent expenses, the commissariat staff, and other ordinary and extraordinary expenses. The staff of the whole British army was 79,535*l.*; the staff of the new colonies was 25,000*l.*, being one-third of the whole British army. This seemed a very large staff indeed, when it was considered, that not a hostile naval flag waved to the east of the Cape of Good Hope; and that in case of hostilities, from the superior naval means at our command, we could always convey relief to our colonies before they could be endangered by any enemy whatever. In time of war he should be the last man to quarrel with an effective staff establishment; but in time of peace, when we could do so without risking the safety of the colonies, we ought to reduce these enormous staff establishments. Though it was impossible to attain perfect accuracy on this subject, he had been enabled to put down upwards of 900,000*l.*, which ought to be placed to the account of these new colonies. When it was considered that the revenue of Ceylon was 640,456*l.*, the Cape 229,494*l.*, the Mauritius 206,860, Malta 114,415*l.*, the Ionian Islands 120,000*l.*; making on the whole a revenue of 1,311,225*l.*—when it was considered that this revenue was altogether unknown to this House, though he did not mean to say it was improperly applied, he submitted it as a most important constitutional question for the House, whether the individual who filled the office of colonial secretary, and the individual governors, should continue to have the uncontrolled distribution of upwards of 1,300,000*l.* a year, and nearly a million more of other expenses connected with it? Whilst in the old colonies there were councils to check and assist the governors, in these new colonies no check whatever existed. It became a question, whether the king in council were to continue to direct, without any local government of a senate, legislature, or council, sums of such an amount? Ceylon, under the Dutch government, paid to Holland a very large surplus income. He had every reason to believe that the Cape paid also a large surplus revenue; and that the Mauritius, after paying its expenses, yielded a surplus revenue. If that was the case under the preceding governments when these colonies were liable to attack from the most powerful naval power, great Britain—if they were still able to protect themselves, to maintain internal tranquillity, and to guard against sudden attack from without—surely it was not too much to expect from his majesty's government, with such superior means always at command, that they should maintain these colonies at least without entailing any charge on this country. He wished to know why the expenses of the war in Ceylon were not laid before the House? On a former occasion, he requested the chancellor of the exchequer to state the nature of the account between the East India company, but he could receive no satisfactory answer. These accounts were balanced generally by two or three millions on each side, but the public ought to be made acquainted with them. It was known that from 3 to 4,000 of the company's troops had been sent from Bengal to Ceylon; those troops must be paid for. In common justice, government ought to relieve the East India company from this expense. Notwithstanding all that had been done at different times, the expenses incurred at Ceylon had been kept from the public eye. Unless a system of government, consistent with the principles of justice, and conciliatory to the inhabitants, was adopted, it would be impossible to keep that colony in our possession, unless at an expense of a most ruinous nature. It would be impossible to derive any benefit from the possession of that island, while an arbitrary system of government was pursued. If this had been done five years ago, an immense expense of blood and treasure would have been saved. If the regular returns were laid on the table, the House would be astonished to see the number of British lives, which had been sacrificed in the course of this war. He did not mean to impute any blame to the governor of that colony, but he condemned the necessity which had given rise to the harsh measures that had been adopted. He was anxious to impress the House with the value of this colony, with the greatness of its produce and the amount of its revenue, if properly directed; and also to point out the saving which by a different policy could be made to this country. A sum of half a million at least could be saved by reducing the military establishments of Ceylon, and those establishments could be reduced without danger to our interests, if the colony were governed on principles of justice and sound policy. He had five motions to make, each of which contained four resolutions. But as the resolutions were the same with respect to each island, he should merely state those which referred to Ceylon. They were for, 1. "A return of the total revenue of Ceylon within the last two years, distinguishing the separate items under each head. 2. A return of the whole expenditure of the island, distinguishing the civil from the military establishment, and the expenses of the island from those incurred by the British troops, and specifying the sums paid by England beyond the revenue of the island. 3. A return of the civil officers who held salaries and emoluments to the amount of 150*l.* and upwards during the last year; with the names of the parties, specifying those who were natives from British subjects; those who held more than one office; and those who performed the duties of their offices by deputy. 4. An account of the military staff of the island during the last year, specifying the emoluments of the officers, and distinguishing British from native officers." These accounts would enable the House to judge how far the recommendation of the finance committee of 1818, respecting our newly acquired colonies could be carried into effect. The resolutions respecting the Mauritius, the Cape of Good Hope, Malta, and the Ionian Islands, were precisely of the same nature with those he had just mentioned.—On the first resolution respecting Ceylon, being put,

Mr. *Goulburn* said, he had already signified his readiness to accede to the motion as it regarded our colonies, but he could not accede to such an inquiry into the financial situation of the Ionian Islands. Those islands had a legislature of their own, totally independent of this country; and the Crown had no more right to call upon the senate to furnish an account of their income and expenditure, than it had to call upon any other state to do so. If the hon. member would refer to the constitution of those islands, he would find, that the senate were vested with the power of appointing their own officers, without reference to this country, and ministers did not conceive that they had a right to enter into any such investigation as that proposed.

The resolutions for the production of the above accounts from Ceylon, the Mauritius, the Cape of Good Hope, and Malta, and Gozo, were then put and carried unanimously.

Mr. *Hume* said, he had a resolution in his hand, which ought to be carried, if they wished to ascertain the financial situation of the Ionian islands. The House had as much right to make this inquiry as they had to inquire into the situation of Ceylon, or any of our other colonies. It was urged, that the Ionian Islands were an independent state; but, by the treaty of Paris, these islands were placed under the protection of this country by the 8th article of that treaty. The treasurer of those islands was directed to lay before the British government a monthly account of their income and expenditure. If there were no demands on this country for the military establishments of those islands, he would not propose this inquiry, but surely, when we were supporting 3,000 troops there, it was not too much to examine how the revenue was disposed of, and whether it was not sufficient to meet the expenditure, as was stipulated by the before-mentioned treaty. He would ask, whether the emperors of Russia and Austria, who were parties to this treaty, were inclined to bear any part of the expenses incurred to us from the Ionian Islands? No; the treasury of those islands paid nothing, but this country was obliged to pay in all a sum of near 100,000*l.* The hon. member then moved, for the production of accounts from the Ionian Islands, similar to those already ordered from Ceylon.

The first resolution was negatived without a division. Mr. Hume then moved for an account of all monies expended by this country on account of the Ionian Islands, during the last two years. —Ordered.

## Ways and Means—Malt Duty.]

Mr. Brogden brought up the report of the committee of Ways and Means. The first six resolutions were read a first and second time, and agreed to. On the question being put on the resolution for the additional Malt duty,

Lord *Milton* said, that when the House had been in the committee, he had proposed that the duty should be 1*s.* 4*d.* instead of 2*s.* 6*d.*. In order to record his dissent to the present tax on the Journals, and not with any view to promote a discussion on the subject, he should propose his amendment, to the consideration of the House. In doing this, he was not actuated by any fear of laying increased taxes on the landed interest. The late war had been carried on with a view of protecting those gentlemen in the possession of their estates; and now that it had been concluded so fortunately, he did not think that they were the persons who ought to complain of taxes being levied upon their property. His objection to the present tax was, that it did not fall exclusively upon the rich. For these reasons he should move, to leave out the paragraph charging the additional duty of 1*s.* 2*d.* per bushel on Malt on the stock in hand.

Mr. *Brougham* wished to avoid any discussion upon this subject at present, not because he thought that it had been already exhausted, but because there was another discussion appointed for that evening, in which, not merely the whole House, but the whole country was interested. He could not, however, help rising to impress on the House the necessity of discussing every measure in its right place. He could not agree with the noble lord, that the late war was undertaken to protect the landed interest only. Whether that war was justly or unjustly entered into, it afforded as much protection to the poor man as it did to his opulent neighbour. He objected to the tax, because it fell in the first instance and unequally, on the grower, as well as on the consumer. It was not on persons of large estate solely or chiefly that it fell. A person in the barley counties, who had perhaps only 50*l.* or 100*l.* a year, were taxed on their whole estates, while a person who had an estate of 50,000*l.* a year, who had a variety of other resources, did not suffer in the same degree. The counties of Norfolk and Suffolk, and the barley counties in particular, would suffer, and not less the counties of the North of England, where the tax would be more felt by the yeomanry than any which had been imposed for many years.

Mr. *C. Calvert* stated to the House the extreme hardships which the proposed duty on malt would create to the maltster, nine-tenths of them must be ruined, should the duty be fixed as high as 17*s.* a quarter. The new tax had a reference to all the stock on hand on the fifth July, which always must constitute a great proportion of the malt made in that year, as the maltsters did not commence malting until late in October. The rate of 9*s.* might afford them a profit, but ruin would inevitably follow the imposition of duties as high as 17*s.* Indeed as the duty now was, he thought the maltster this year could not obtain more for his malt than he had given for his barley.

The *Chancellor of the Exchequer* replied, that as government had, upon the repeal of the war malt duty, repaid the maltsters and the trade the amount of duty already paid on the stock absolutely on hand, they would be justly entitled, after the 5th of July, to take the duty on the stock then on hand. He could see nothing inequitable in his arrangement.

The question being put, that the said paragraph stand part of the question, the House divided: Ayes 126, Noes 75.

FOREIGN ENLISTMENT BILL.] The Attorney general having moved the order of the day for going into a committee on this bill.

Mr. Alderman *Wood* presented a petition against the bill, which he said was signed by a most respectable number of the inhabitants of Westminster. The petition sat forth, "That the bill excited in the minds of the petitioners feelings of inexpressible dissatisfaction, alike hostile to the liberties and happiness of the Spanish American nation, now nobly asserting their independence, as it was to the obvious interests of our own country, the said bill being contrary to that neutrality which ought to be strictly observed by England between the parties at issue, one fighting for that freedom which God and Nature designed for all mankind, the other for continuing over widely extended regions, a government of oppression and cruelty peculiarly disgraceful to the present enlightened age; confiding in the justice, wisdom, and benevolence of an English parliament, in the premises, the petitioners prayed, that the said bill might not pass into a law." The worthy alderman said, that he should oppose the Bill in all its stages.

On the motion, that the Speaker do now leave the Chair,

Colonel *Davies*, before the House went into the committee, took that opportunity of contradicting certain circumstances which had been mentioned by the supporters of the bill on the last occasion that the question had been argued. The noble lord opposite had then laid great stress upon this country being bound by treaties to do Spain every service that lay within her power, and had argued in such a way as would have led any inconsiderate person to believe, that Spain had not merely always acted in such a manner towards us, but had even strained every nerve to put a favourable construction upon such of her institutions as were hostile to our commercial intercourse with her subjects. But was such a statement reconcileable with facts? Would any body, except the noble lord, pretend to argue that the conduct of Spain had not been one continued series of unwarrantable aggressions against this country? that she had not violated almost every treaty which she had ever made with us? that she had not committed the most gross and unjustifiable outrages against our national honour? that she had not imprisoned the bodies, confiscated the property, and annihilated, as far as depended upon herself, the commerce of British merchants? He maintained that she had done all this upon repeated occasions, and said that the charges which he had brought against her were not mere invectives, unsupported by facts, but where so corroborated by them, that he would defy the noble lord either to disprove them. He would mention one or two of the facts on which he principally rested his assertions. The treaty upon which all our commercial transactions with Spain rested was made in the year 1667, and was afterwards confirmed by the peace of Utrecht. This, with some slight fluctuations, continued till the year 1783, when another treaty was formed between the two countries. That remained in force till the year 1796, when it was again altered. In 1806, when Spain was at the feet of Buonaparte, duties absolutely prohibitory were imposed by the king, for the avowed purpose of annihilating the commerce of Great Britain. In 1808, the patriot war broke out, and those prohibitory duties were withdrawn. In 1814, Ferdinand was restored, and he introduced the commercial relations that existed previous to 1796. On the faith of his decrees British merchants imported into Spain large quantities of our manufactures, and followed them up by very extensive orders; yet, would the House believe it, in less than six months afterwards, that monarch, who owed his very existence to this country, re-imposed the very prohibitory duties which Buonaparté had compelled in 1806, and took care that the decree should have a retrospective operation. This was one of the favours for which we were indebted to the present Spanish government! Since that date still heavier duties had been laid on British goods; so that, in truth, the trade had been totally destroyed. But if such was the conduct of Ferdinand towards us as a nation, the instances of individual outrage were gross and tyrannical beyond conception. The Spanish cabinet had not only set at defiance the clearest law of nations, but had disregarded its own municipal regulations, for the purpose of oppressing the merchants of this kingdom. One case, selected from many, would be sufficient for the present occasion: it was that of a Mr. Simpson, a merchant, who had been subjected to the most grievous oppressions—not in a distant province, but in the purlieus of the court—in the heart of the capital. His House had been forcibly entered, on the 14th of October 1816, all his books seized, and a sentry placed over his person: he of course remonstrated, but our envoy at Madrid, Mr. Vaughan, could obtain neither redress nor explanation; and at the end of a fortnight, Mr. Simpson's House was again entered at night by armed men, who threatened instant death if he did not disclose where his property was kept. He was still kept in custody for some days, and at last was released; but from that hour to the present justice had been refused, and he had not been able to obtain the restoration of a single article of his property. Such had been the conduct of the myrmidons of the court of Spain, notwithstanding it had been constantly provided, ever since the treaty of Utrecht, that the persons and dwellings of British merchants should be held sacred! Of these facts the individual so injured was ready to make oath; and yet, with a knowledge of the whole of them, the noble lord had expressed his surprise that British merchants should feel any alarm, and he had charged them with departing from their characters as British merchants, because they remonstrated against the most grievous injustice. [Cries of No! no! from lord Castlereagh.] Such had been the tenour of the whole speech of the noble lord on a former night; he had, indeed, directly charged British merchants with becoming bucaniers and smugglers, and with preferring smuggling adventures to fair legitimate trade. Did the noble lord imagine that Spain, the moment she regained an ascendancy in her colonies, would not exclude our commerce? Did he not know, that while she had any authority, she had punished with death the natives who carried on intercourse with any nation but the mother country? The noble lord had referred to the conduct of the United States; but had he forgotten the interest which that people took in the events in South America? Had he forgotten that, in 1816, they sent out commissioners expressly to collect commercial information, particularly regarding the value of the trade to Buenos-Ayres, which had been since published in a report, and proved the wonderful resources of the favoured regions they had visited. If, then, the United States, pressed by none of the distresses that weighed upon this country —if the United States, who could derive but little comparative benefit from a trade with South America, had taken such pains to inquire, was it fit that we should be totally indifferent? Were we to submit to all kinds of insults from Spain, to have our manufactures excluded, our trade ruined, and to do nothing on behalf of millions of men who, on the other side of the globe, were anxious to receive us with open arms, and to compensate in the new world for what we had lost in the old? It appeared that Buenos-Ayres received British manufactures to the amount of more than 2,000,000*l.* annually, while the utmost that had been sent to the mother country did not exceed 400,000*l.* What comparison, therefore, was there between the two, and how short-sighted was the policy ministers were endeavouring to pursue! If this bill passed, though the hope of emancipation might not be destroyed, the event must be retarded. The South Americans turned to Great Britain as to a land of succour and freedom; and, if they were disappointed, their disgust would be in proportion to their despair. They would then, of necessity, direct their eyes to the great commercial and naval rival of this country, with whom we were at peace it was true, but with whom that peace would continue only just as long as suited the interests of that rival. He would venture to prophesy, that within six months after the passing of this bill, the Buenos-Ayres government would be recognized by the United States, a commercial treaty would be formed, and the United States would at least monopolize the carrying-trade, and undersell us with our own goods in the South American markets. Upon the legal part of the question he only wished to remark, that the acts of the 9th and 29th of Geo. 2nd, were completely a dead letter on our Statute book: only three British subjects were serving with the king's license in the royal armies of South America, while from 50 to 60 were serving without license, and under those statutes were guilty of felony. If any additional proof were wanting that the acts were a dead letter, it was found in this fact, that only on Thursday last, two British officers, without license, in the service of Ferdinand, and consequently felons by the existing law, in full Spanish uniform, at the Prince Regent's levee, took their formal leave. The utmost Spain could expect was, the repeal of those two statutes. He had hoped that after the division of a former night, ministers would not have forced this measure upon the country; but the treasury circular, which he had seen, unfortunately showed that they intended to persevere to the last [Hear, from ministers.] He was sorry to find that his statement was confirmed, and that the government of Great Britain was under the necessity of yielding to the dictation of a foreign power. He opposed the bill, because it was calculated not only to destroy the best interests of the country, but to degrade it in the eyes of all Europe. [Cheers.]

Mr. *F. Robinson* contended, that if the arguments of the hon. gentleman were well founded, he had made out a case to prove that this country could not, without dishonour, avoid declaring war against Spain. If there were any foundation for the charges adduced, and if the gloomy colours in which the conduct of Spain had been painted were at all warranted, Great Britain had no choice left. Before he proceeded to the immediate question, he protested, in the most unequivocal and solemn manner, that the imputation against ministers, that this measure had proceeded from a servile acquiescence in the demands of any foreign nation, was wholly unjustified by the fact; it had been brought forward only from a conscientious conviction that it was required for the preservation of the honour and character of the country [Hear, hear!]. He could not expect that his declaration would be accepted as proof, but he protested, before God, that it was sincere. It had been charged, that ministers were acting in hostility to the principles of liberty: it was very easy to make general accusations, and very difficult to answer them but by a general denial; and this he gave in the most distinct and positive manner. With regard to the question itself, there could be no doubt that the Crown had a prerogative right to establish a neutrality, and that any violation of it was punishable at common law. The measure was founded upon these admitted facts; and if it went further than the common law, it was because there was a specific obligation by a special treaty with Spain, binding this country to take the most effectual measures to prevent its subjects from supplying arms to the revolted Americans. It was therefore, of course, the wish of ministers not to make a mere show of neutrality, and their sincerity was first evinced by the royal proclamation. The agents of the insurgents, notwithstanding, had succeeded in enlisting hundreds of men, the very instant they were disbanded from our own regiments; and if this government was to act with any regard to good faith in its engagements, it was bound to adopt some more effectual measure. Great ingenuity had been shown in endeavouring to prejudice the House by calling in aid passions and interests; and the first objection was, that the bill had been introduced at the suggestion of a foreign power. True it was, the dictations of other states ought not to be attended to: for instance, when Buonaparté required the prosecution of the free press of this country, after the peace of Amiens, the government would have disgraced itself by compliance; but when treaties were involved, how could a foreign power obtain redress but by war, if its remonstrances were not listened to? In 1794, a treaty precisely similar was entered into between Great Britain and the United States, and we had been obliged to make representations that the conditions were not fulfilled, and an act, to endure for three years, was passed: at the end of that time, the same act was continued at the suggestion of Great Britain; and if it had not been attended to, a justifiable cause of war would unquestionably have been afforded. So here. Spain would have a justifiable cause for declaring war, if we did not do our utmost to fulfil our treaty; and though her weakness might deter her from hazarding hostilities, with a generous nation, that ought to be the very reason why all cause of complaint should be removed. This might be further illustrated by a reference to the expedition of sir Gregor M'Gregor: he raised his troops in this country; he obtained the ships to transport them in this country; yet he had no commission from any sovereign authority, and not one foot of ground in the country to which he was proceeding. He went to attack a part of the territory still adhering to Old Spain, with which this country carried on a very advantageous trade; and though he had a right, perhaps, to attack Spanish property, he could not assail that of Great Britain, without being guilty of the most atrocious acts of piracy and robbery. Having done so, where was redress to be obtained? Sir Gregor M'Gregor had no court but his ship, no law but his sword; and in a case of that kind, it was the absolute duty of government to take some steps for the protection of the commercial interests of the kingdom; even supposing that honour and honesty were out of the question. Next it was urged, that the cause of the South Americans was just; that it was most fitly and naturally popular in Great Britain; and that to support it would importantly relieve the commercial and manufacturing interests of the kingdom. No man could be more sensible than he was of the impolicy and injustice of the system pursued by Old Spain towards her colonies for centuries; and no man who loved liberty could wonder that the struggle in which the insurgents were engaged, excited a strong feeling in their favour here. He knew, too, that commercial pressure was at this moment peculiarly felt, and of course that there was great anxiety that this field for speculation should be opened; yet, recollecting the solemn treaties entered into by this country, he could not but pause, at least, before he consented to sacrifice to feeling and interest the honour and good faith of the nation. In his view, nothing on earth should be held so dear by a country as fidelity in its engagements. What state could confide in us in future, if we held out to the world, that for pecuniary considerations the most sacred obligations were disregarded? He implored the House to reflect for a moment on the consequences. Could any period of our history be pointed out when peace was so essential to our welfare as at present? But if we were to act upon the principles recommended by the opponents of the bill, with what country on earth could we be in bonds of amity? Should we not point ourselves out as the mark against which all other powers would be justified in aiming their hostility? The hon. member had talked of obtaining rewards in the new world for what we had lost in the old; but could he hope that even the revolted Americans, after they had made use of us for temporary purposes, would trust us more than other states whose treaties we had purposely violated. Upon the whole, therefore, he (Mr. Robinson) held the measure to be of the last importance to our character; and he thought it was impossible that the British parliament should reject it, unless it preferred the gratification of passion, and the promotion of interest, to the preservation of good faith and national honour.

Sir *James Mackintosh* said, he did not rise to oppose the motion for the Speaker's leaving the Chair, as he was aware there might be a convenience in proceeding to that stage of the measure. Against the measure itself, however, he entertained the most determined hostility; and he perfectly concurred in the intention expressed by an hon. member for the city of London of opposing the whole of it, with the exception of the first clause, which went to repeal the acts of George 2nd. That clause was clear, distinct and intelligible. It was open to the comprehension of every individual. It was just, and whatever might be the predominance of feeling in the breast of any one on a subject like the present, yet sentiment ought always to be compelled to submit to the dictates of justice. But, while he was bound to admit the expediency of that particular clause, he desired to be understood as doing so with regard only to the strict question of neutrality. Placing the question on the fair ground of our duty to maintain perfect neutrality, he would undertake to prove, that, with the exception of that first clause, the bill under the consideration of the House would be the complete destruction, instead of the preservation, of our neutrality. Differing as he did from the right hon. gentleman opposite on this subject, he must deprecate and condemn a measure which proclaimed war against the liberties of America, which proclaimed war against the commerce and character of England, in order to conciliate the good opinion of Spain, and which was a gross departure from that impartiality which was unquestionably due to both the belligerents respecting whom it had been introduced. Denying, as he did, the claim of a foreign government to require from us the adoption of any such proposition, he would not oppose the bill on that ground,—he would not oppose it, because (which was in itself, however, sufficiently extraordinary) it was the first instance in which a Spanish ambassador, exercising a power which he believed was rather unprecedented in this country, had written or attempted to write an act in the British statute book. His opposition to the bill would be founded on a more general principle. He was certainly much surprised to hear a right hon. gentleman who had just spoken on the subject with so much clearness and eloquence, draw from the same premises a conclusion so different from that which he had himself drawn. He was by no means inclined to dispute the proposition of the right hon. gentleman with respect to the right possessed by the king of regulating the intercourse of his subjects with belligerent powers. That right had been well asserted by the royal Proclamation in 1817; disobedience to which was a misdemeanor, punishable as such by the common law. But, to go further—when by the common law the means existed of punishing a breach of neutrality, to enact a measure favourable in its tendency to one party alone, was in itself the grossest violation of neutrality. In what did neutrality consist? It was unnecessary to resort to the learned disquisitions of writers on international polity to ascertain what the real meaning of neutrality was; common sense would point it out. Neutrality consisted, first, in the abstinence of a government from affording aid to either of two belligerent parties; secondly, in the impartiality of the laws as respecting two belligerent parties. The proclamation of 1817 could warrant no other proceeding consistently with the principle of neutrality than the repeal of the two acts of George 2nd. Let those statutes be repealed, and England would instantly, and without any additional measure, be placed in a state of complete impartiality towards the belligerents. The present bill therefore was necessarily an act of supererogation. It was more—it was confessedly introduced at the instance of Spain; it was for the convenience and benefit of Spain alone; and parliament was called upon to pass it just at the critical moment when it especially suited the policy and the necessities of that country. The right hon. gentleman had dwelt much on the statutes of George 2nd; but if the right hon. gentleman had read them with the same attention which he (sir James Mackintosh) had given to them, he would have found that, by the 9th of George 2nd, officers entering into the service of Spain were not guilty of capital felony. It was entering into the service of the king of France only which was made a capital felony by that act. By the 29th of George 2nd, private soldiers entering the service were made guilty of a capital felony; but the penalty was not extended to any officers who might engage in that service. The acts of George the 2nd originated under peculiar circumstances. It was well known to all those who were conversant with the private history of that reign, that at no period were the efforts of the Jacobite party more unremitting than between the years 1733 and 1736, when, falling into the common error of mistaking the unpopularity of the minister (sir R. Walpole) for the unpopularity of the reigning sovereign, they were induced to enter into various foreign services, with the view of availing themselves of that spirit of discontent which they were perpetually fancying they observed at home. The common law of this country was equally impartial in its efficacies and inefficacies with regard to Spain; and in its conveniencies and inconveniencies with regard to both belligerents. It was the duty of all neutral powers that their laws should be thus impartial; but their efficacy was a very different question. That depended upon distinct and peculiar considerations; such as the tone and temper of the times, motives of particular policy, and more especially the public expression of national feeling. The right hon. gentleman had adverted, in terms becoming an Englishman, to the interference of Napoleon, in 1802, with respect to the press of this country. He concurred with the right hon. gentleman in the indignant warmth which he had manifested on that point; but it was very strange that the very language which was used at that period against the liberty of the press in this country, was the language now used in support of the bill before the House! The complaint upon the occasion alluded to by the right hon. gentleman was, that no adequate security was given to foreign powers against the abuse of libellers; that we had little reason to boast of a constitution which thus permitted rank and station to be attacked with impunity, and did not recognize or protect the privileges of foreign sovereigns; that the common law of the land was evidently insufficient for the purpose, and therefore that some rigorous measures ought to be adopted to remedy the evil. The result of that angry interference was too well known to render it necessary for him to advert to it; but, because it was probable that a jury of this country would acquit a libeller of Napoleon, did any man dare to propose to the British parliament a bill to put down the liberty of the press, and the trial by jury? In the present instance, was it because English feeling had been manifested in the support of the cause of liberty in South America, that the government of Spain should be complimented by a surrender of the neutrality which we were bound to observe? It was no more to be tolerated, that hostility on the part of individuals to the oppression of Ferdinand should be suppressed, than hostility on the part of the press to the oppression of Napoleon. It had certainly been argued that the common law was insufficient in cases of the nature in question; but he contended, that that argument was entirely erroneous. If, however, it were so—if the common law did not contemplate the particular case for which the present bill was introduced, was the interference of a foreign power on such a subject to be tolerated? There would be no end to the demands of foreign powers, if the principle were once admitted, that our system of jurisprudence might be altered at their pleasure.—The right hon. gentleman had observed, that such a measure as the present had been introduced by the government of the United States, and acceded to by congress. The United States, said the right hon. gentleman, concluded a treaty with Spain, and congress passed an act to carry that treaty into effect. And why did they do so? Because, though the common law in England was sufficient for the required purpose, in America it was not. The power of making war and peace was not vested in the president of America, as it was in the king of England. In America, therefore, a legislative act was necessary. But, as his majesty's proclamation of 1817 was still in force, how could any legislative measure be necessary in this country? It was, indeed, singular that in such a country as England—a country which had so long flourished in security and glory by maintaining the principles of justice and liberty, no such proposition as the present had ever before been hazarded. Until the present period no belligerent had ever been able to obtain a favour which Great

Britain was now called upon to grant to Ferdinand — a sovereign on whom he would bestow no epithets, because it was impossible by any epithets which the English language could furnish to add to the feeling which the mere utterance of his name excited. Never before had this country been asked to make a change in its ancient institutions for the benefit of one belligerent. Why was parliament to be now called upon to alter those institutions, and to make such a change in the relations hitherto observed in our foreign policy? Was there any sufficient cause for the innovation? Was the proceeding warranted by any particular emergency? No! nothing of the kind. The king of Spain desired it; and his wish must be gratified.—But, it might be demanded, "What! do you contend that no such wish as the present was ever expressed by a foreign government?" Yes; a similar application had been made by the same power as at present after the memorable treaty of 1604; but it was rejected by the enlightened ministers of that day the scholars of the illustrious Elizabeth. James 1st in his precipitate eagerness to reconcile himself with the legitimate princes of the continent, was very willing to depart from those maxims of sound policy which had placed his glorious predecessor at the head of what might be termed a body of national independence, and to evince towards Spain the same pliancy which marked the conduct of the present administration; but he was still in the hands of lord Salisbury, a statesman who prized and upheld the rights and honour of the British nation. With the permission of the House he would advert to an old document, which was strikingly in point on the present subject. In the Memoirs of Sir Ralph Winwood, who was secretary of state to James 1st, there was a curious letter to himself from sir Harry Neville, relating to a bill then lately brought in, which made it penal for a subject to go abroad into the service of a foreign power without having first taken the oath of allegiance, as recently framed. From this, he would just observe, it was quite clear that it had never been considered an offence by the common law. In the letter, which was dated July 8th 1616, sir Harry Neville, who had introduced the bill, observed, that it was originally confined to those who entered the service of Popish princes only, but that the Lords had spoiled it by making its provisions universal. Upon mentioning that circumstance to lord Salisbury, that nobleman told him it was of no consequence, seeing how easily the amendment might be evaded. Sir Harry Neville then went on to say, that there was an apprehension of the interference of Spain to prevent British troops from joining the standard of the insurgent Dutch provinces; and in fact there was an application of that nature; but the ancient friends and counsellors of Elizabeth refused to comply with so unreasonable and disgraceful a claim. The historical records of England afforded innumerable instances of British troops serving under foreign belligerents, without subjecting themselves to any penalty in consequence. A Catholic regiment served in the Spanish service in Flanders, under lord Arundel of Wardour: a nobleman distinguished among the first of his contemporaries; and a regiment of Scotch Catholics, commanded by the earl of Home, entered the service of the king of France. In neither instance, however, was any breach of neutrality supposed to have taken place.—But, perhaps it might be more agreeable to the taste of the right hon. gentlemen opposite, if he cited Spanish examples to justify the proceedings against which the present bill was brought in. Not only was there the authority of facts and historical experience against the principle of the proposed measure, but there was that of the writers on the law of nations, particularly of one of the most intelligent of those writers—the celebrated Bynkershoek, who was president of the courts of Holland. On the question, Whether it be a breach of neutrality to allow a friendly belligerent to levy troops in your territory, he answers in the negative. What would have been the cheers of gentlemen opposite had any hon. member on his side of the House ventured upon asserting an opinion similar to that expressed by this grave authority? In the war of the bishop of Munster against Holland, in 1666, the states general complained to the governor of the Spanish Netherlands that he permitted troops for the service of the bishop to be levied within his territories. What was the governor's reply? That the Spanish territories were equally open to the states general as to the bishop for the purpose in question; for that, although the latter was his friend, he would act with justice towards both. But this, agreeably to the modern interpretation of the law of nations, would be considered a breach of neutrality. It was clear, however, that the Spanish governor thought otherwise. A breach of the law, forsooth! What would the scrupulous politicians of the present times say when he mentioned the name of one of the greatest princes and most valiant leaders that Europe had ever beheld—a man whose sword had vindicated the cause of civil and religious liberty against the combined efforts of tyrannical power—what he asked, would they say when he referred them to the instance of Gustavus Adolphus, who had in his pay, not a small proportion of British troops, not a little smuggled army, headed by a few half-pay officers, on board a transport or two in the Downs; but a band of 6,000 men, raised in Scotland; and by whose co-operation, with a handful of other troops, he was enabled to traverse a great part of Europe, to vanquish the host that opposed him, and to burst the galling fetters of Germany? And who was the chief by whom those 6,000 British troops were led? Not an adventurer—not a sir Gregor M'Gregor of whom he knew little, and for whom he certainly cared less,—but the marquis of Hamilton; a man of the first distinction and consequence in his own country, the personal friend of the king—from whom, however, he had no licence. At that time, the Spanish and Imperial ambassadors were resident in London; but neither of them presumed to remonstrate, or to make a demand like that which had been made in the present day.—It was expressly laid down by Vattel, that a nation did not commit a breach of neutrality by allowing its subjects to enter into the service of one belligerent, and refusing the same permission with respect to another. There was one case more, which occurred in the reign of James 1st, to which he could not help adverting. At that period a great body of English troops commanded by one of the most gallant captains of his day, sir Horace Vere, served against the Spaniards, and received pay from a foreign power. Yet Gondomar, the Spanish ambassador, whom king James was endeavouring by the most servile and abject submission to conciliate, who might be almost termed the viceroy of Spain in this country, who had sufficient influence to cause the murder of that most distinguished individual, the ornament of his native country and of Europe, who united in himself more kinds of glory than had perhaps ever been combined in an individual—that intrepid soldier, that skilful mariner, that historian, that poet, that philosopher, that statesman—sir Walter Raleigh—Gondomar whose power protected him from the punishment he deserved for such an act, dared not go so far as to require the boon which his majesty's ministers now called on the House of Commons of England to have the condescension to grant! The present was not a more important question as it affected the ruined commerce of a great country, than as it established a most dangerous precedent. With what authority would the envoys of despotic powers henceforward besiege the doors of a British minister with the most disgraceful claims! With what unanswerable force would they say, "You granted this with facility to Spain, and you granted it when Spain was under the dominion of Ferdinand the 7th, on what ground can you withhold it from us?" Dangerous and degrading would it indeed be, if Ferdinand the 7th, could prevail on an assembly of British gentlemen to establish a precedent which would subject the British government to be dictated to in future times by persons—if any such there could possibly be—resembling him in character. What they had refused to the greatest of modern military tyrants and despotic sovereigns—what they had denied to Louis 14th and Philip the 2nd, they were required to give to such a man as Ferdinand 7th! The reigning sovereign of Spain, whose character he would not trust himself to describe, had achieved an object in which all his predecessors had failed.——

Quos nec Tydides nec Larissæus Achilles——

The simple question was, Whether we were to innovate upon a system which the venerable sanction of time had rendered sacred, while it also established its perfection, merely because it was the will of a foreign power that we should do so? Was it for such a purpose that we were to change our ancient institutions? To any reform of those institutions, his majesty's ministers had generally expressed extreme aversion. But there was one vice in them which there appeared to be the greatest disposition to eradicate. The constitution framed by our ancestors, who did not contemplate the extraordinary refinement which their descendants were to attain, and who therefore regarded their own liberty more than the desires of foreign nations, did not possess sufficient pliancy. It did not enable the minister, in reply to the application of a foreign ambassador, to say with a courtier-like smile, that certainly every thing should be done to meet the benevolent and enlightened wishes of that ornament of sovereignty, that Marcus Aurelius of Spain, Ferdinand the 7th. The roughnesses in the British constitution which rendered such amiable conduct difficult, must be polished. To correct this uncomplying spirit in our laws, and subdue it as much as possible to the tone of continental acquiescence, something effectual must be done. The coarse system of our ancestors was not in unison with the feelings of his majesty's ministers, who dwelt with complacency upon the refined and improved governments of the continental powers; and who must have something in the way of imitation—an Alien act, for, instance. They now called on parliament to refine the British laws in other respects, and to render them more agreeable to his Catholic majesty.—Instead of the conduct which they had thus pursued, why did they not imitate the example of lord Liverpool, when in the answer which, in a manner so highly honourable to him, he made to the application of Napoleon in 1802, to limit the freedom of the press, he said, "You mistake the law and constitution of England. It is not in the power, if it were in the inclination of a minister, to do what you require." But, as they had not done so, he trusted that parliament would supply the deficiency. He trusted that that House would exclaim with the brave barons of former days, *Nolumus leges Angliæ mutari!* Such an answer as that ought to have been returned to Ferdinand. He ought to have been told that the laws of England were irreversible, and that he must be satisfied with a determination in which every power of Europe, from the time of Louis the 14th, had been compelled to acquiesce.—The right hon. gentleman opposite had said, that sir Gregor M'Gregor, being only a military adventurer, he was without weight or influence, and that there was no court in South America to which British subjects could appeal for redress.—But he (sir James Mackintosh) contended, that there was a tribunal in that country to which British subjects might appeal; and that the character of sir Gregor M'Gregor was to be viewed in a different light from that of a brigand or piratical adventurer.—If any additional proof were wanting of the partiality of the measure before the House, it might be derived from this consideration. There was one sort of aid which England could give to Spain, but which, from the nature of things, she could not give to the Insurgent Provinces—he meant a supply of transports for the purpose of conveying troops across the Atlantic. Now there was no provision whatever in the bill to prevent British subjects from supplying transports—a flagrant instance of anti-neutral spirit in its framers. But what indeed could be a more gross departure from neutrality than that evinced in the treaty concluded with Spain in 1814; in which treaty, while we professed a wish to reconcile the people of South America to the authority of the king of Spain, we stigmatised as rebellion the noble struggle they were making to free themselves from an intolerable bondage. To adopt the proposed bill would be, to repeat and re-pronounce that sentence of condemnation on the cause of the Spanish provinces. It had been contended, that the bill was founded on the treaty. A frank admission of its real character! For what neutral proceeding could possibly emanate from a measure of such decided and uncalled-for anti-neutrality?—It was the observance of neutrality on the part of the state that he was advocating. Neutrality in the feelings of individuals was impossible. In a contest between superstition and tyranny on the one side, and the hope, or even the chance of liberty on the other, never could his heart be neutral!—Much had been said of the motives by which the merchants of this country were actuated with respect to this subject. A noble lord had on a former night treated them with great and unjust severity; imputing the solicitude which they felt for the success of the South American cause to interested motives. Without indulging in common place declamations against politicians, he must however say, that it was a question with him, whether the interest of merchants did not more frequently coincide with the best interests of mankind than did the transient and limited views of politicians. If British merchants looked with eagerness to the event of the struggle in South America, no doubt they did so with the hope of deriving advantage from that event. But on what was that hope founded? Was it on the diffusion of beggary, on the maintenance of ignorance, on the confirmation of slavery, on the establishment of tyranny, in America? No! Those were the expectations of Ferdinand. It was on the successful assertion of freedom—of freedom! that parent of all good!—that parent of industry!—that parent of talent!—that parent of heroism!—that parent of every virtue! The fate of South America would be accessory to the wealth of British merchants only as it became accessory to the dignity and happiness of the race of man.—There was one topic connected with the present subject which had always struck him as peculiarly interesting. Among the titles which Ferdinand the 7th seemed, in the eyes of his majesty's ministers, to possess to the interference of England in his behalf, he wished to know if the noble lord opposite reckoned his ready compliance with the request of the noble lord, and the request of many other ambassadors from the various powers of Europe, for the release from confinement of those allies of Great Britain, and patriots of Spain, who had incurred his sovereign displeasure? Parliament had been told of repeated applications made by the British government of those excellent individuals; the victims at once of ingratitude and tyranny. Still, however, they languished in their dungeons. Among those distinguished sufferers was Mr. Arguelles, a name which had lately been eulogized by one of the highest characters and authorities in Europe. The noble lord had assured the House that the assembled majesty of Europe had twice interceded for that eminent person, and had interceded in vain! The noble lord had on a former occasion dwelt on the success of his negotiations with Spain relative to the slave trade. Let the noble lord remember—or at least let not that House forget—that what Ferdinand had done for money, was spontaneously and gratuitously accorded by the insurgent colonies; that what Ferdinand reluctantly, and after long negotiation consented only partially to restrain, Arguelles prevailed on the cortes instantly, universally, and for ever to abolish. And, having introduced the subject of the slave trade, he could not refrain from calling on the House to consider how much respect was due to the various governments founded by the revolted provinces of Spanish America, for having with one consent, and notwithstanding the creolean prejudices with which, in common with all colonies, they must have been imbued on the subject, put an end to a traffic which was still cherished in Europe; and which, to the eternal disgrace of one nation in particular, was clung to by that nation with the utmost tenacity and fondness.—He would trespass on the House with only one further observation. He had called the leaders of the Spanish cortes the allies of Great Britain. What must be the feelings of any man who read the inscription on the French mortar, taken after the raising of the siege of Cadiz, presented by the cortes to his royal highness the Prince Regent, and placed by his royal highness's commands in a conspicuous situation in the metropolis? "Devictis a Wellington Duce "prope Salamancam Gallis, solutaque "exinde Gadium obsidione hanc quam "aspicitis basi superimpositam bombar-"dam, vi præditam adhuc inaudita ad "urbem portumque Gaditanum destruen-"dum conflatam, et a copiis turbatis re-"lictam, Cortes Hispanici pristinorum, "haudquaquam beneficiorum obliti sum-"mæ venerationis testimonio donaverunt "Georgio Illus. Brit. Princ. qui in per-"petuam rei memoriam hoc loco ponen-"dam, et his ornamentis decorandam jus-"sit."—We had thus accepted a trophy in commemoration of a glorious victory, presented to us by our brave allies, and had in the inscription engraved upon it associated their name with the name of our greatest and most renowned captain by whom that victory had been achieved;—a trophy, expressive of their gratitude and affection, and which had been received with the respect and attention due to it;—and yet at that very moment those brave and illustrious men were languishing in the dungeons of the country they had in vain delivered, the victims of that prince whose cause a British parliament was now called upon to espouse!—[The above is a very imperfect outline of a speech which was listened to with the deepest attention; and at the close of which, the hon. and learned gentleman sat down amidst the loudest cheers from both sides of the House, which continued for several minutes. When silence was restored,]

Mr. *Canning* rose. He began by declaring, that there was not a man in the House who had expressed his merited approbation of the eloquence of the hon. and learned gentleman that was more sensible of it than himself, or that felt more deeply than he did the difficulty of the task prescribed to him by his duty of endeavouring to remove the splendid impediment which the hon. and learned gentleman had raised in the way of what he (Mr. Canning) considered to be the straight forward and honourable course which the House ought to pursue. If in his observations, he should confine himself to a few of the hon. and learned gentleman's statements, he trusted that it would not be attributed to any disposition to pass lightly over his magnificent speech. He however must conjure honourable members not to allow themselves to be led away by the power of glowing eloquence from the real facts of the subject under discussion. It was not for the House to look to the character of Ferdinand with reference to the decision of the question before them, but to consider how far the proposed measure was justified and required by the circumstances of the case. If the only point to be determined were the character of the Spanish government, he would by no means stand up as the panegyrist of the conduct, either of that government in the abstract, or of the individual in whose hands the authority of that government was at present lodged. But he must again caution the House against allowing any feelings excited by such a consideration to mingle and interfere with the strict discharge of their duty. Were we indeed commencing a new struggle for the independence of Europe, we might perhaps be induced to take means for deriving advantage from services which, however they might have been unacknowledged, he, for one, could never regret had been performed. The hon. and learned gentleman had mixed with his invectives against Ferdinand the 7th praises of another government which he (Mr. Canning) could not allow to be altogether just. In the cortes there were certainly individuals of great virtues and splendid talents; but he denied that there was any great difference between the two governments with respect to fondness for English interests, or attachment to English alliance. And with respect to the colonies, the cortes had unquestionably shown themselves to be the hardest taskmasters, and to be more disposed to fix and perpetuate the yoke of slavery than Ferdinand. But the business of the House that night was, not to consider the character of any individual monarch or government, but to consider what was the duty of Great Britain in the pending contest. The House had to determine, first, if the existing laws of the country would enable her to maintain her neutrality; secondly, if the repeal of those laws would leave the power of maintaining that neutrality; and thirdly, if both the former questions were negatived, whether the proposed measure was one which it was fit to adopt. The question was not whether it would be better that we were under no obligation to Spain, but, being under the obligation imposed by the treaty of 1814, whether a dry and strict observance of nominal neutrality was giving her all which, from that treaty, she had a right to expect. Until the hon. and learned gentleman could "rail the seal from off that bond," he could not free England from the obligation which he had described. He (Mr. Canning) might wish there had been no such obligation. The terms of the treaty were however by no means liable to the censure cast on them by the hon. and learned gentleman; for at the time the treaty was executed, the colonies had not assumed an independent character, and therefore could be spoken of in that treaty only as the revolted colonies of Spain. The hon. and learned gentleman had dwelt on the advantages to be derived by Great Britain from the success of the South Americans; but were he even in the emancipated condition of the hon. and learned gentleman in speaking on this subject, he might nevertheless hesitate to say whether any prospects which the support of the cause of South America held out, ought to induce this country to depart from her neutrality. If the acts of George the 2nd were simply to be repealed, there was no power in the law of this country by which an infraction of neutrality on the part of British subjects could be prevented. Was there, he would ask, any thing incompatible with the spirit of liberty in enabling a government to lay such a restraint on the action of its own subjects as might insure the observance of perfect neutrality towards two belligerents. If there was, how happened it that the hon. and learned gentleman approved so cordially of the proclamation of 1817? In that proclamation, which was the only public act of the British government on the subject, a spirit of strict impartiality had been exhibited. Contemplating the character of that proclamation, what right had any man to infer that the feelings and opinions of government had undergone a change on the subject. The hon. and learned gentleman had cited many instances from history, in which the subjects of this country had been not only permitted but encouraged by the government to enter into the service of foreign states;—and had sometimes even been thereby brought into the field to combat with each other. The fact was indisputable; but the hon. and learned gentleman was not to be told that in respect to military service and enterprise a great change had taken place in the tone and temper and state of Europe since the times of Elizabeth and James 1st. In those times, there was a general thirst for military glory pervading all Europe. The profession of arms, instead of being a duty and task imposed upon the people, was a proud and honourable profession. Since those times a most material alteration had taken place; but it was not the policy of governments, but the temper of the people which had undergone the change. Formerly a spirit of adventurous enterprise was cherished and sanctioned, which would not now be deemed justifiable. The usages of modern Europe did not recognize such proceedings as those adverted to by the hon. and learned gentleman. It surely could not be forgotten that in 1794 this country complained of various breaches of neutrality (though much inferior in degree to those now under consideration) committed on the part of subjects of the United States of America. What was the conduct of that nation in consequence? Did it resent the complaint as an infringement of its independence? Did it refuse to take such steps as would insure the immediate observance of neutrality? Neither. In 1795, immediately after the application from the British government, the legislature of the United States passed an act prohibiting, under heavy penalties, the engagement of American citizens in the armies of any belligerent power. Was that the only instance of the kind? It was but last year that the United States passed an act, by which the act of 1795 was confirmed in every respect, again prohibiting the engagement of their citizens in the service of any foreign power; and pointing distinctly to the service of Spain, or the South American provinces.—The hon. and learned gentleman, he was sure, was not one of those who would exclaim, "Aye, but America had good reason for acting as she did, for she had the cession of Florida in view." What the motives of America were for that proceeding he could not say: he disbelieved in the existence of those which were imputed to her. But, without anticipating the decision of the House that evening, of this he was convinced, that if a similar cession were held out to this country as the price of the bill under consideration, the House would reject the bill with indignation, tainted as it would be by such an offer of advantage. What would be the result if the House refused to arm government with the means of maintaining neutrality? Government would then possess no other power than that which they exerted two years ago, and exerted in vain. The House would do well to reflect seriously on this before they placed government in so helpless a situation. Did the hon. and learned gentleman really think it would be a wholesome state of things that troops for foreign service should be parading about the streets of the metropolis, without any power on the part of government to interfere to prevent it? At that very moment such was the case in some parts of the empire; and he had little doubt but that in a very short time the practice would be extended to London. If a foreigner should chance to come into any of our ports, and see all this mighty armament equipping for foreign service, he would naturally ask, "With what nation are you at war?" The answer would be, "with none." "For what purpose then," he would say, "are these troops levied, and by whom?" The reply of course must be, "They are not levied by government; nor is it known for what service they are intended; but, be the service what it may, government cannot interfere." Would not all that give such a foreigner a high idea of the excellence of the English constitution! Would it not suggest to him that for all the ordinary purposes of a state there was no government in England? Did the hon. and learned gentleman not think that the allowing of armaments to be fitted out in this country against a foreign power was a just cause of war. He knew well indeed that from the exhaustion of Spain we were perfectly secure from hostility in that quarter. That consideration however afforded a complete reply to the taunt that had been thrown out against ministers, that they allowed themselves to be dictated to by Spain. But it was precisely because Spain was weak—because her resentment could be attended with no practical inconvenience—that they were desirous to discharge the duties of neutrality towards her the more scrupulously [Cheers]. The maxim of "do unto others as you would they should do unto you," was as applicable to politics as to morals. Did the hon. and learned gentleman recollect the celebrated Mémoire Justificatif which was understood to have been drawn up for the government of the day by Mr. Gibbon, previous to the war with France, during our contest with the American colonies? The language of that document was such, that if it were to appear for the first time at the present moment it might be considered as the memorial of the Spanish ambassador addressed to the government of this country. In that paper it was stated, that agents from our American colonies had endeavoured to penetrate into and settle in the different states in Europe, but that it was only in France they found an asylum, hopes and assistance:—that the French merchants furnished America, not only with useful and necessary merchandise, but even with saltpetre, gunpowder, ammunition, arms, and artillery; and loudly declared that they were assured not merely of impunity, but even of the protection and favour of the ministers of the court of Versailles. "The marks of these facts, which could be considered only as manifest breaches of the faith of treaties, multiplied continually, and the diligence of the king's ambassador to communicate his complaints and proofs to the court of Versailles did not leave them the shameful and humiliating resource of appearing ignorant of what was carried on and daily repeated in the very heart of the country."—If we wished to support the South Americans, because it might be profitable to do so, let us take the manly course adopted by France on the occasion to which he had just alluded; let us fairly come forward and favour the cause of the Spanish insurgents; and let us not think that, because we did not take that manly course, either Spain or any power on earth would believe that the operations now going on in this country were not connived at and encouraged by the government. It was the doctrine laid down by the English government itself that was now on its trial. This country was now called upon to say whether it would act on its own asserted principles. Those acts which the bill under the consideration of parliament tended to repress were acts which in the document put forth by England forty years ago were termed "a manifest breach of the law of nations."—He would appeal to the House, whether, having at the period to which he alluded held this language to France with reference to her conduct towards America, we could now, without the grossest indecency, be guilty of such tergiversation as to say, that, although the French were then wrong we were now right; and that because, forsooth! forty years had elapsed since our declaration, and because we now wished to take a contrary course, on the pretence of strong and ungovernable feeling? Was it possible that we could falsify our own doctrines in so barefaced a manner, and be guilty of such a dishonorable abandonment of principle on the ground of a supposed convenience? Could we with our eyes open suffer such a stain to be put on our national character as thus to act in direct contradiction to our own recorded opinions? If the king of Spain—be he who or what he might—was in any one thing the faithful representative of universal Spain in Europe, it was evidently in the conduct which he observed towards the Spanish colonies. In South American politics, the people of Spain and Ferdinand were identified; and if that monarch should sign and confirm South American independence, he would inevitably lose the affection of his subjects, if he had as many virtues as the hon. and learned gentleman imputed to him crimes.—He was not himself disposed—God forbid! to view without emotion the march of liberty throughout the globe, beating down oppression where it for centuries had reared its almost consecrated head; but whilst such were his feelings in a good and virtuous cause, he could not think of endangering our own invaluable advantages, by suffering an exhibition to take place, perhaps in the very metropolis, revolting to the decency of the nation; namely, the array and ostentatious parade in our streets of ignorant and undisciplined individuals, arming to serve against a foreign power. Did he ask Englishmen to assist in rivetting the fetters of South America? No. He only wished them to allow things to take their own course. It was impossible to suppose that affairs there could be restored to the state in which they were before the contest. That was morally impossible. The causes which were in operation must one day or other produce a result, the expression of which he should restrain himself from indulging in. He was however most anxious that neither the House nor the nation should be deceived either by the show of magnanimity that was displayed in taking up the cause, or by any unfounded notion of the advantage which this country might derive from espousing and forwarding the cause of the Independents. This country saved European Spain: the fact was indelibly recorded in the page of history; but did Spain believe or acknowledge it? England, by her exertions, might establish the liberties of South America; but would the Independents allow that she had done so? No; all the Brentford armies that could possibly be transported from hence to South America, would be considered but as flies on the wheel; and he would prophecy that those deluded men who flocked to that land of milk and honey, full of the idea of the glory they would achieve, and of the rich harvest they would reap, would soon find that all their mighty expectations were groundless, and would return as much disappointed as the statesman who in former times embarked from this country in quest of the El Dorado.—By the constitution of the Independent states (if such they might be called) foreigners were declared to be incapable of holding any offices of honour or emolument in South America. That was the first offspring of the deliberations of a people asserting what were called liberal principles; and it might be taken as a fair sample of the pretensions they had to call on the people of other countries for countenance and aid in their career of liberality. The volumes of private correspondence from that country were open to all. Was there one, he would ask, of our countrymen there, possessing any talents, who had not become an object of jealousy and hatred, who had not been exposed to insulting treatment from his rivals; and who, if found refractory, had not been thrown into a dungeon? With a perfect knowledge of these dreadful and melancholy facts, was government to stand idle, and see these gallant men, deserving a much better fate, hurrying away to experience nothing but hatred, punishment, and degradation? It was a most indispensable duty on the part of government to apply to parliament for the means of stopping the progress of the evil.—A great trade was at present carrying on between Jamaica and the adjoining continent. That trade would be placed in jeopardy by the force lately fitted out by sir Gregor M'Gregor. He undoubtedly thought that ultimately there would be a great and gradually increasing commercial intercourse between this country and South America; but to furnish goods with the one hand, while holding the sword with the other, was likely to promote that trade as little as the happiness of the original natives had been improved by the offer of the Bible in the one hand, and the sword in the other.—He was not disposed to take advantage of the argument which might be founded on the character of the Insurgent states. Whether an acknowledged or an unacknowledged power, he would maintain towards South America the strictest good faith; he would cultivate her friendship by every fair and legitimate means; but not by recruiting her armies with our soldiers not by committing a breach of faith towards old Spain He was convinced that if parliament now denied to the executive government the power of maintaining neutrality, instead of accelerating, they would retard the period of a stable and permanent connexion between this country and South America. Ministers did not apply to parliament for this aid until they had tried without effect all the means which were in their power; if they were not now vested with the requisite authority, if before next summer the country should exhibit the scandalous and disgraceful scene of lawless bands of armed men raised for foreign service parading through the streets, let not ministers be blamed; for they had warned parliament of the danger, and had called on them to prevent it. Ministers had done their duty in bringing forward the present measure to maintain the neutrality and honour of the country. If their conduct cast a blot on its character (which might easily be asserted, but which he trusted would be difficult of proof); if they were detected in the abuse of the power entrusted to them by any act of partiality towards either side, it would be competent to parliament to recall that power, and to confide it to others who might be considered capable of exercising it more conscientiously.

Mr. *Scarlett* said, that in rising to address the House, he felt the difficulty under which he was placed by the splendid eloquence of the two preceding speeches.

He certainly should not have offered himself to the House, had he not been convinced that all the arguments of the right hon. gentleman were inapplicable to the present case. He understood the right hon. gentleman to have acceded to the opinion of his hon. and learned friend respecting the principle of neutrality; and at the same time to have objected to preserve such a neutrality. The right hon. gentleman had called upon the House to enable the executive government to carry into effect the treaty between Spain and this country. If now, after a lapse of five years, it could be shown that a new act of parliament was necessary for this purpose, the House ought to accede to the proposition; but he thought the whole object of this treaty might be effected by the law as it now stood. In the clause of the treaty which referred immediately to this point, Britain engaged to prevent any of her subjects—from what?—not from enlisting in the service of the insurgents, but from sending them arms or ammunition. That the common law of the land was sufficient to carry such a prohibition into effect, could not be questioned. What, then, became of the right hon. gentleman's argument, when he found that a new law was not necessary for this purpose? But it was said, that an additional law was necessary to maintain the neutrality professed in the proclamation. Did the common law say that the king of Spain should not be at liberty to enlist troops in this country, but that the insurgents should? Certainly not; and the prohibition could not be applicable to the one power, without being equally so to the other, unless any statute intervened to prevent the operation of the common law. If any such statutes, framed to meet the particular circumstances of the times in which they were enacted, as was the case with the two statutes of George 2nd; if any such statutes existed, let them be repealed; and then what more could the king of Spain require? If the common law of the land had been found sufficient to preserve neutrality for the last 200 years, how had it been discovered that it was not sufficient now? Admitting it to be defective, there was an easy remedy to be found in repealing the statutes that rendered it so; but ministers wished to interfere with the common law itself. If we had already a law to meet the case, what right had any foreign power to call on us to enact another law? It had been admitted, that the conduct of Spain did not entitle her to expect any favour at our hands; but then it was urged, that our own good faith called on us to adopt the measure, however unmerited on her part. It was clear that she could not enforce it; but then the House had been reminded, that it would be ungenerous to take advantage of her weakness, and to deny the boon because she had not the means of compelling us to grant it. Now, the argument amounted to this—Spain was weak and could not compel it, she was worthless and did not deserve it; therefore our merit was the greater in granting it. He should afterwards show that this law was not only unnecessary for the purpose of neutrality, but that in principle it was directly antineutral. The right hon. gentleman had drawn from his own imagination, a picture of lawless bands of troops parading through the streets; but surely the common law could punish that offence. He had listened with the greatest attention to the eloquent speech of the right hon. gentleman; and he had been unable to discover any one argument to show that when these statutes were repealed, any thing more would be required. He maintained that, unless in commercial arrangements, no foreign power had a right to call on another to alter the common law of the land for the purposes of neutrality. The hon. and learned member, after briefly adverting to what had been said of the feeling with which merchants viewed the present measure, and suggesting the propriety of leaving to them to consider their own affairs, in the conduct of which they might not be disposed to consult the right hon. gentleman, concluded amidst loud cheers by again observing, that the present bill would, in every sense of the word, be violating the neutrality which it was proposed to preserve, and destroying those hopes which it was once an object with the British government to excite.

Mr. Serjeant *Copley* contended, that his hon. and learned friend had wholly failed in proving the principle with which he had set out; and he appealed to every member, whether the speeches on the other side were not rather appeals to the passions of the House, than arguments against the measure before them. If it were intended to depart from the neutrality which we ought to observe, it would be more fair and candid, and more consistent with the dignity of our national character, to do it in an open and manly manner, than to resort to the underhand mode which seemed to be proposed on the other side. The whole measure had originated in the act of the 9th Geo. 2nd, and as it was not denied by members opposite, that that act should be repealed so as to substitute a minor for a capital punishment, the principal question was, whether, if any alteration should be agreed on, it should not be carried on so as to make both the belligerent parties equal; but he contended that if these acts were repealed, the common law would be insufficient, as it did not make any provision for enforcing itself. Suppose the act to be repealed, then he maintained, that the common law would be quite inadequate to prevent the evil which this bill was intended to put an end to, and it would be absurd to suppose that any law should exist which could not be carried into effect. The offence would be committed before any means could be taken to prevent it. As to what Spain might demand of this country, he should say, that if she demanded any thing, it could only be the fulfilment of those treaties which we had contracted with her. She would ask no more; but was it necessary that she should ask, or that we should wait for her to ask, for the fulfilment of those treaties which an accidental slip of our law prevented us from carrying into effect? He maintained, that the measure arose out of the relation of peace in which we stood towards Spain; and without any treaty those relations should teach us a strict neutrality. With respect to the commercial benefits which we might derive from our intercourse with the insurgents, he conceived that they only kept up the intercourse with us because they found it advantageous to themselves; and as long as they so found it, they would continue to hold it, whether the present measure was passed or not.

Mr. *Brougham* said, that after the powerfully eloquent, the unanswered and unanswerable speech of his hon. and learned friend (sir J. Mackintosh), a speech which the eloquent declamation of the right hon. gentleman, and the legal arguments and acute logic of the learned serjeant had left altogether untouched, he felt it quite unnecessary to occupy the attention of the House at any length. He felt it the less necessary, as he perceived that even into that House, the force of public opinion had found its way, and the term "insurgents" had not been attempted by any member except the learned serjeant. His majesty's ministers had abstained from using the term, which was to him a proof that the strong feeling of the British public (which on this subject had always remained the same) had partly had its effect. He would not found any argument against the present bill upon the loose doctrines advocated—not by him or any of his honourable friends—advocated by no writer which he had read but one, a Swiss, who, from the circumstances of his country, became naturally prejudiced in favour of the right of subjects to enter into the service of belligerent powers in peace with their own. He would say that subjects as well as kings might, on this subject, go as far as the law allowed them. If the law made it a crime to enter in arms against any power in amity with the state —and in this country it was a misdemeanor—that law might be put in operation against the individual so offending. But the learned serjeant had said, that this law was rendered inoperative to prevent the crime, for that it was committed before any step could be taken to counteract it. Why, what was this but admitting that this was like all other crimes, that it could not be punished until detected? If the individual committing it were caught, he would be punished, and his punishment would serve as a warning for others; but if he could not be caught personally within the jurisdiction of any of our courts, then he was outlawed for the misdemeanor in violating the king's proclamation. The effect of this would be, that he would be obliged to remain banished from his country all his life, or if he returned, be exposed to a forfeiture of all his goods and chattels—a punishment which, he should observe by the way, was more severe than that which the bill provided. The present bill was, he contended, not only not declaratory of the common law, but quite repugnant to its principle. If it could be proved to him, that the measure was founded upon any treaty which we had pledged ourselves to fulfil, he would be the first man in the country to support it, let its inconvenience be ever so great, let its injury to commerce be felt however severely; but he denied that any treaty with Spain bound us to such a measure. A treaty had been made which had never received the sanction of the House, and from that it was contended that this measure ought to be brought in; but who had ever heard that a king could by any treaty pledge himself, or those whom he represented, to an alteration of the established law of the land; or that the nation should be bound by it? But he again denied that there was any such law as the proposed one implied by the treaty in question. It went, it was true, to prevent the supplying of arms, ammunition, &c.; but upon this the present bill was wholly silent, while it spoke against the raising of troops or furnishing of money in any manner, of which not one word was to be found in the treaty itself. The hon. and learned gentleman then commented upon several observations which had fallen from the supporters of the bill. He would now propose, if no gentleman on his side of the House should think a different course preferable, to take the sense of the House, not on the question for going into the committee, but after the first clause had been agreed to. In going thus far, the House would show that they were willing to restore the common law to the state in which it stood before the act of the 9th Geo. 2nd was passed, and that they were determined to reject any measure which might tend to alter the law upon the invidious principle of the present bill.

Lord *Castlereagh* did not object to the manner in which the learned gentleman proposed to take the sense of the House, which he thought would be a very convenient one. The repeal of the existing statutes which the gentleman opposite had in view, was not, however, a measure that carried along with it so much fairness as was attributed to it. There was no equity in reverting to the common law, after having acted, with respect to all other powers of Europe for the greater part of a century, on statute law. With regard to the treaty by which it had been asserted we were not bound, it ought to be recollected, that it was laid on the table, along with the other treaties of amity concluded on the restoration of peace; and that on the whole of the arrangements produced by these treaties, the most approving address ever voted by parliament had been presented to the Crown.

The Attorney General moved an instruction to the committee to insert, as an addition to the first clause, words repealing two acts passed by the Irish parliament against foreign enlistments in that country. The House then resolved into a committee, and the first clause was amended, according to the instruction moved by the attorney-general, and agreed to.—On the second Clause, the House divided—For the clause, 248: Against it, 174: Majority, 74.

*List of the Minority.*

Allen, J. H.
Althorp, viscount
Anson, hon. G.
Archdall, gen.
Aubrey, sir J.
Barham, J. F.
Barnard, visct.
Barnett, J.
Becher, W. W.
Belgrave, visct.
Bennet, hon. G. H.
Benyon, Ben.
Bernal, R.
Birch, Jos.
Brand, hon. Thos.
Browne, Dom.
Brougham, H.
Burdett, sir F.
Byng, G.
Burrell, hon. P. D.
Bentinck, lord W.
Blandford, marq. of
Burrell, Walter
Cotes, John
Calcraft, J.
Calvert, C.
Calvert, N.
Campbell, hon. J.
Carter, John
Cavendish, lord G.
Cavendish, Henry
Chamberlayne, W.
Clifford, Aug.
Clifton, visct.
Coffin, sir I.
Colborne, N. R.
Coke, T. W.
Coke, T. W. jun.
Concannon, Lucius
Dawson, G.
Davies, T. H.
De Crespigny, sir W.
Denman, Thos.
Denison, W.
Douglas, hon. F. S.
Duncannon, visc.
Dundas, hon. L.
Dundas, hon. G.
Dundas, Thos.
Dundas, C.
Ellis, hon. G. A.
Ebrington, visct.
Ellice, Ed.
Ellison, C.
Euston, earl of
Fazakerley, Nic.
Fergusson, sir R. C.
Finlay, K.
Fitzgibbon, hon. R.
Fitgerald, lord W.
Fitzgerald, rt. hon. M.
Fitzroy, lord C.
Forbes, C.
Foley, Thos.
Gascoyne, general
Grosvenor, gen.
Grant, J. P.
Gordon, Robt.
Graham, S.
Graham, J. R. G.
Griffith, John W.
Guise, sir Wm.
Gurney, H.
Gurney, R. H.
Heygate, ald.
Harcourt, John
Harvey, D. W.
Hill, lord A.
Honywood, W. P.
Howorth H.
Hughes, W. L.
Hume, Jos.
Hurst, Robt.
Hutchinson, hon. C.
Lawson, M.
Lester, B. L.
Longman, G.
Leigh, Thos.
Lamb, hon. G.
Langton, W. G.
Latouche, John.
Latouche, Robt,
Lemon, sir W.
Lloyd, sir E.
Lyttelton, hon. W. H.
Mahon, hon. S.
Maberly, John
Maberly, W. L.
Marryat, Jos.
Montague, lord F.
Macleod, Rod.
Macdonald, J.
Mackintosh, sir J.
Milton, viscount
Martin, John
Merest, J. D.
Mills, G.
Mildmay, P. St. J.
Monck, sir C.
Moore, Peter
Morpeth, visct.
Mostyn, sir T.
Newman, R. W.
Neville, hon. R.
Newport, rt. hon. sir J.
North, D.
Nugent, lord
O'Callaghan, James
Ord, W.
Osborne, lord F.
Protheroe, Ed.
Portman, E. B.
Palmer, C. F.
Pares, Thos.

Parnell, sir H.
Peirse, H.
Pelham, hon. G. A.
Philips, G.
Philips, G. jun.
Phillipps, C. M.
Primrose, hon. F.
Ponsonby, hon. F. C.
Powlett, hon. W.
Prittie, hon. F. A.
Price, Robert
Pryse, Pryse
Rickford, W.
Ricardo, D.
Ramsden, J. C.
Rancliffe, lord
Ridley, sir M. W.
Robarts, W. T,
Robarts, A.
Rowley, sir W.
Russell, lord G. W.
Russell, lord J.
Russell, R. G.
Rumbold, C.
Scarlett, J.
Sefton, earl of
Smith, Saml.
Smith, W.
Smith, G.
Spencer, lord R.
Stewart, Wm.
Stuart, lord J.
Tavistock, marq. of
Taylor, C.
Thorp, ald.
Vernon, G.
Westenra, H. R.
Wilson, Thos.
Webster, sir G,
Williams, sir R.
Walpole, hon. G.
Waithman, ald.
Webb, Ed.
Western, C. C.
Wharton, John
Wilkins, W.
Williams, O.
Williams, W.
Wilson, sir Rt.
Wood, Matthew

TELLER.

Lambton, J. G.

PAIRED OFF.

Abercromby, hon. J.
Astell, W.
Baring, sir T.
Churchhill lord C.
Curwen, J. C.
Fleming, John
Grenfell, Pascoe
Hamilton, lord A.
Hochepied, G. De
Maxwell, John
Piggott, sir A.
Smith, hon. B.
Smith, John
Stanley, lord
Whitbread, W. H.

The other clauses were debated, and several amendments moved and agreed to; after which the House resumed.

## HOUSE OF COMMONS.

### *Friday*, *June* 11.

Mr. Seppings.] Mr. Croker having presented some papers relating to the Navy,

Sir *Joseph Yorke* said, he should take the oppportunity now offered of mentioning the case of Mr. Seppings. The committee of finance, in giving their opinion of the improvements made in naval architecture by this gentleman, had said, that "these services, although they have nothing of that brilliancy which forcibly attracts public admiration, will continue to confer a lasting benefit to the British nation, long after that period when the beneficial effects of victories, however splendid, shall have passed away." If such were the advantages to be derived from this gentleman's discoveries, he surely was entitled to as great a reward as was usually conferred on those generals and admirals by whom victories were achieved. He was afraid that the session might be allowed to pass away without any practical proof of gratitude being given to this deserving man; and therefore he should not cease to agitate the question till he knew what reward it was intended to give.

Sir *Isaac Coffin* said, that Mr. Seppings had received 1,000*l.* for his beautiful invention for suspending ships; and having been appointed to a situation in the naval service, his abilities, after that, were to be considered as engaged to the country.

Mr. *Croker* said, it was unnecessary for him to enter at present into the question of Mr. Seppings' merits, as he had, on a former occasion, stated his opinion of that gentleman's high abilities, and had agreed to recommend him as a navy surveyor. He entirely agreed with the suggestion of the committee, as to the propriety of noticing the services of Mr. Seppings. The Admiralty accordingly had recommended to the Treasury to grant him a pension, which would be placed on the navy estimates and would be as honourable and useful to him as any grant that could now be made.

Foreign Enlistment Bill.] Mr. Brogden brought up the report of this bill. Sir R. Wilson rose for the purpose of speaking to the subject, when lord Castlereagh suggested that it might be better to have the amendments made in the committee printed before any fresh discussion was had upon it.

Mr. *Marryat* said:—It is not my intention to go into any detail on the merits, or rather the demerits of the bill. I wish merely to clear up some facts which I stated on a former occasion, the correctness of which has either been doubted or denied. In speaking of the conduct of Ferdinand the 7th, I observed, that soon after the British army had quitted his dominions, he directed a public thanksgiving to be offered to Almighty God, that his land was no longer polluted by the presence of Heretics.—The noble lord did not indeed deny this circumstance, but declared that he had never heard of it.—It might be a sufficient answer to the noble lord, to say to him in the words of Hamlet,

> "There are more things in Heaven and earth
> Horatio,
> "Than are dreamt of in your philosophy."—

But I can confirm the assertion I made, by positive proof. I hold in my hand a letter from a friend of mine, Mr. J. B.

Sharpe, who was an eye witness of the fact. His letter to me runs in the following terms:—"With reference to the question of public thanksgiving having been offered up to Almighty God, for the purgation of the land from the presence of Heretics, in the churches of Spain, I was in Corunna at the time, and had in my possession one of the printed circulars issued by the heads of churches to that effect, which was left at my place of residence." This gentleman authorises me to say, that he is ready, not only to confirm the contents of this letter in any manner his lordship pleases by his own evidence, but also by that of twenty Englishmen, who like himself were in Spain at the time when this ceremony took place. In enumerating the disadvantages to which the independents were subjected under our existing laws, I stated, that whilst fugitive royalists from the Spanish main, were not only received in Trinidad, but promoted to situations of high honour and responsibility, an asylum had been denied to independents; and that a number of them, who, on the approach of the royalist army to Guiria, embarked on board such boats and canoes as they could procure, and sought refuge in Trinidad, had been refused permission to land, and were obliged to return to the place from whence they came, where they were immediately massacred. The noble lord in answer to these assertions, read an extract from a dispatch from the governor of Trinidad, which did not deny the fact, for it was wholly silent about the refugees from Guiria, but merely stated, that 3,800 persons had at different times been admitted into Trinidad. The under secretary of state for the colonial department went farther; for, referring to a memorial to which my name, in common with the names of other gentlemen connected with Trinidad, was subscribed, he declared, that our statement of an asylum having been refused to particular individuals was incorrect, and that the justification of the governor was perfectly satisfactory. At that time, I had not the documents on which the memorial was founded in my pocket; but on going home and examining my papers, I found that instead of having acted on "the exaggerated or unfounded representations of interested individuals," as we were charged with doing, we had made the statements in the memorial on the authority of governor Woodford himself. I have now in my hand two petitions to him, with his answers to them. One is signed by several merchants in Trinidad, praying for an asylum for a merchant, a native of the United States, who had been some time settled at Guiria, but who wished to escape from the horrors of revolutionary war; whose peaceable character was vouched for, and for whose good conduct the petitioners offered to give good security. The answer of the governor is in these words, "It is inconsistent with the regulations by which I am directed to guide my conduct during the present disturbed state of the neighbouring Spanish provinces, to admit to an asylum here, any persons not being natural born subjects of his Catholic majesty."—Signed "R. Woodford," and dated "August 15th 1814." From this answer one might be led to conclude, that an asylum would be granted to persons who were natural born subjects of his Catholic majesty. But I have another petition in my hand from Don Josh. Ramires, of that island, praying that his mother Donna Antonia Guezza, a lady 80 years of age, and her two grand children, then living at Cumana, might be permitted to reside in Trinidad, and offering security for their good conduct to any amount. These persons were natural born subjects of his Catholic majesty; but nevertheless the answer to the petition in their favour is in these authoritative and laconic words:—"This petition cannot be complied with!" signed "R. Woodford," and dated "23rd September 1814." I hand up this bloody document to the noble lord; I call it so, because in signing it, sir Ralph did sign the death warrant of the parties on whose behalf the petition was presented; I hand it up to him, that no doubt may remain as to the hand-writing of sir Ralph. Having done this, I now call upon the noble lord to declare, whether, in giving an asylum to individuals of unexceptionable character and for whose good conduct security was offered, governor Woodford would have acted in a manner inconsistent with the instruction by which he was directed to guide his conduct. If so, the responsibility for the massacre of these unhappy wretches, rests not upon sir Ralph, but on his majesty's ministers; but if otherwise, I call upon the noble lord to bring to a severe account, the governor who has cast so foul a stain on the character of his majesty's government.—With respect to the massacre at Guiria, I have it on Spanish authority, on French authority, and on English authority; but I cannot produce the letters of the persons who have furnished me with this information, because I too well know the consequences. Some years ago, at the request of a friend of mine, I transmitted to the Treasury his complaints of the conduct of the governor of Trinidad. Orders to give him redress were sent out, through the medium of the colonial office, who, at the same time, sent the governor copies of the complaints which had been made against him; and the consequence was, instead of redress, a series of persecutions which only terminated with the death of the individual. The gout, acting on a debilitated and irritable frame, flew to his stomach and carried him off. The tales of the other sufferers may hereafter be told; but not till they are in that grave, where "the wicked cease from troubling and the weary are at rest;" lest they too share the fate of the unfortunate Mr. Philip Langton. But the fact at Guiria does not rest upon Trinidad authority alone. I know that an account of it was sent to the colonial office, by Don Polycarpe Ortiz of St. Thomas; for the duplicate of his letter was transmitted to me, and I delivered it in person. The fact is as notorious in that part of the world, as the fact of the battle of Waterloo is in this; and the respectability of the parties in whose letters it is communicated to me is so great, that I have no more doubt of it, than I have of my own existence. Indeed, inferential proof of it is given in the very petitions I have read; for if governor Woodford refused to grant an asylum in Trinidad to parties of unexceptionable characters, and for whose good conduct security was offered, can it be supposed that he would admit an indiscriminate horde, who could give no references for character, and no security for their good conduct? The idea is at once absurd and incredible? I cannot view without concern, the change of sentiment that has taken place in his majesty's ministers, respecting the government of Spain as exercised in her South American colonies. In 1797, when Mr. Pitt was at the head of our councils, a letter was written to general Picton, then governor of Trinidad, directing him to assist the inhabitants in their efforts to shake off the yoke of the mother country; and the reason assigned was, not that we were at war with Spain, but the oppressive and tyrannical nature of her government. This letter, written by the late lord Melville, then secretary of state for the colonial department, was translated into Spanish, and introduced into a proclamation by general Picton copies of which he distributed all over the Spanish main, and one of which I now hold in my hand. The same opinion of this government continued in 1804; for I have also in my hand, a letter from the late lord Hobart to governor Picton, dated 2nd February of that year, expressing "the anxiety of his majesty's ministers to introduce into the island of Trinidad, with the least possible delay, so much of the laws of Great Britain, as may be judged expedient for the security of the persons and properties of his majesty's subjects, and for the general advancement of the interest of the colony." Since then all that regard to the security of the liberty and property of his majesty's subjects has been forgotten; and the successors of Mr. Pitt, in opposition to his example, have declared their determination to continue that oppressive and tyrannical form of government over British subjects which he encouraged Spanish subjects to throw off. The Spanish nation are historically recorded, as the exterminators of the Aborigines of South America, as well as of the West Indies: and as having first established the slave trade, in order to fill up the frightful void occasioned in the population of those countries by their own cruelty. No political writer has mentioned their colonial government, but with disgust and execration; and it has been found so insupportable, that the inhabitants of South America, trained up as they have been for three centuries past in habits of passive obedience and non-resistance, are at length risking every thing that is dear to man, rather than submit to it any longer; and yet this is the government which his majesty's ministers have thought proper to consider as the best and fittest government, to be continued in a British colony, and to be exercised over British subjects!—When I reflect on these circumstances, and couple them with the fact of Great Britain having become a party to what is called the Holy Alliance, but which I consider as a confederacy of sovereigns against the rights and liberties of their subjects, I believe this country is at present in greater danger from a leaning to arbitrary government, than it has been at any period since the days of the Stuarts. I consider the bill now before the House, as emanating from that confederacy; and I fear that we shall hereafter be called upon to pass many other bills, framed in the same spirit of supporting tyranny and crushing freedom. I consider this bill as the first stone of a temple intended to be dedicated to arbitrary power; but I trust that the spirit and patriotism of a British House of Commons, will convert it into the corner stone of an altar sacred to liberty; and by rejecting this measure prove both to despots abroad and to ministers at home, that we set too just a value on the rights and privileges we enjoy ourselves to be made the servile or passive instruments of destroying those of others.

Lord *Castlereagh* said, that the hon. gentleman had, on a former occasion, mentioned, that governor Woodford had not only favoured the royalists, but had absolutely shut the port against a number of persons who had sought there an asylum from persecution; and that the consequence was, they were all murdered, and the shores for some miles whitened with their bones. Now, he (lord C.) begged again to repeat, that not only had the port not been shut, but that the persons alluded to had all been well received to the number of 3,800, and some royalist vessels which were then in the harbour prevented from following some others which had put to sea. As to the circumstance of governor Woodford's not allowing a particular individual to remain on the island, he could not exactly state what his instructions were on this subject; but the case was quite a different one from that of not affording an asylum to persons who had fled thither for their lives. The hon. gentleman had said, that the conduct towards the insurgents was barbarous. This he must beg to deny. With respect to the circumstance of thanks having been ordered in Spain, on the departure of the British troops, for its having been purged from heretics, he should give it but little credit; if there was any such thanksgiving, it was for having got rid of the French, not the English.

Sir *M. W. Ridley* observed, that the conduct of governor Woodford would be found, upon the most strict inquiry, to have been unobjectionable. He had on every occasion conducted himself in the most impartial and honourable manner.

Mr. *Goulburn* expressed the same sentiments of governor Woodford's conduct.

The report was then read; after which, the solicitor-general brought up some new clauses. They were agreed to, and lord Castlereagh moved, that the bill, with the amendments, be engrossed.

Mr. *Denman* thought the most advisable course would be, to have the bill re-committed. His reason for thinking so was, that the only gound advanced on its introduction for the necessity of it was, that the former legislative provisions on the subject extended only to recognized states, and not to countries in the situation of the South American provinces; whereas in the debates of the preceding night, the ground of observing a general neutrality seemed to have been abandoned, and a new one taken by the noble lord, namely, the necessity of supporting a neutrality, modified as it was by the treaty with Spain in 1814, which the noble lord had argued, should be binding on this country; and it was matter of most serious consideration for the House, whether it would consent that regulations intended to preserve a neutrality, modified by particular circumstances, should be suffered to be made a rule for the observance of neutrality in all cases. He begged leave to inquire, whether ministers had used the same means to prevent assistance being afforded from this country to Spain as to the colonies—whether any thing had been done to prohibit arms, ammunition, and warlike stores being exported for the service of the former power?

Lord *Castlereagh* replied, that his majesty's government had issued a prohibition against the exportation of arms or warlike stores to Cuba, or any of our own West India islands, for the purpose of being sent to the service either of the provinces in insurrection, or of those continuing within the allegiance of Spain. They had taken precautions to guard against our own islands being made the means of thwarting the views of the parent state.

Mr. *Brougham* said, that nothing was more proper than the issuing the proclamation by his majesty's ministers commanding British subjects not to render assistance to the colonies, bound as they conceived themselves by the treaty with that state, and empowered as they were by the common law to enforce neutrality. But in order to evince to the world their desire of preserving a strict neutrality, had they issued a similar proclamation regarding Spain—as they had the proclamation against one party, had they it also against the other? Had ministers prohibited arms, ammunition, and warlike stores being sent from this country to Old Spain as well as to Cuba. For instance, most effectual reinforcement might be provided for Morillo, by the exportation of munitions of war to the expedition fitting out at Cadiz. Had that been guarded against?

Lord *Castlereagh* said, that any steps to prevent the exportation of arms to Cadiz would have been ineffectual, unless ministers had at the same time taken on them to regulate the trade in arms and warlike stores between this country and all the rest of Europe.

Sir *J. Mackintosh* said, it now appeared that the terms of neutrality which had, and at present did exist, were an unbounded supply of arms and warlike stores to the one party, and an absolute prohibition of them to the other.

After some further conversation, the report was ordered to be taken into further consideration on the 16th.

POOR-RATES MISAPPLICATION BILL.] Mr. S. Bourne having moved the third reading of this bill,

Mr. *Primrose* objected to the principle of the bill, as it went to do away with the 43rd Eliz. which provided, that old and infirm persons only should be chargeable on the poor-rates. The present bill would have the effect of placing the very lowest and worst part of society in a better situation than the honest and industrious classes. It would enable the idle and ill-disposed labourer to have his children provided for by the parish, while those persons, whose parental affection induced them to keep their children at home, were to be deprived of parochial assistance, and left to struggle as they could to support their families. The hon. member moved, as an amendment, that the bill be read a third time on this day six months.

Mr. *P. Moore* seconded the motion. He could not consent to deprive the labourer of a share of the poor-rates while he knew, that in Coventry and several other parts of the country, the poor were working 16 hours a day without being able to earn enough to support existence.

Mr. *S. Bourne* said, that the measure had been framed not with reference to the situation of any particular body, but as a general amelioration of evils arising from the practice of paying money to the parent for the support of his children. The first consequence of that was, that the money advanced was most improperly and improvidently expended in many instances; whereas, it appeared from the pamphlet of lord Sheffield, that the money laid out on children taken from their parents was applied solely to their maintenance, instruction, and improvement; and, which was the chief advantage by the latter system, the rising generation were transferred from rags, from want, from dishonest habits, to cleanliness, comfort, and the means of acquiring habits of industry and morality. On these grounds, without having the partiality of a parent for his bill, he thought the measure would be attended with the most beneficial effects.

Lord *Milton* entertained similar objections to this measure with those which had been already stated. He wished the House to reflect also, whether it was not calculated to perpetuate the evil, and to legalize that misapplication of parochial funds of which there was already so much reason to complain. There were three classes of persons who took different views on the subject of our poor laws; one class, agreeing with the principle of Mr. Malthus, was for their entire abolition; a second was for retaining them, and merely altering the administration; and the third, to which the right hon. gentleman professed to belong, would confine the benefit and operation of them to the old and impotent. But under the latter description of persons, children were not included, and to grant relief to them, as was the object of the present bill, was not consistent with the principle which the right hon. gentleman professed. If they ought to be ultimately excluded, why was this measure introduced? He agreed, that the evil of the poor laws was partly to be ascribed to the lowness of wages. Since the scarcity in 1795, there had been a strong desire among the farmers to keep down the rate of wages. It appeared to them better to make good the deficiency out of the poor-rates, on the ground that after a rise they never could be lowered. The object of the bill was, by an indirect operation, to raise wages, and stimulate the labourer to increased exertions; but this was to be done by previously inflicting much pain and misery upon him. Agricultural labourers were at present in some measure *adscripti glebæ;* they hardly knew how to venture to leave their own parishes, and therefore preferred residing there with inferior wages. He feared this situation of things would continue till the general prosperity of the country was increased, and the capital of the poor man, which was the industry of his right arm, acquired a higher value. It appeared to him that nothing could be more injurious than to bring up the children of the poor as public pledges in these repositories. There were always little cares that served to excite the sympathies and strengthen the ties of affection in every family; and it would be a violation of the first principles of human nature to prevent the formation of such attachments. Upon these grounds, even were the bill likely to accomplish its object, which he did not think it was, he should oppose it.

Sir *J. Sebright* observed, that it was the poor laws which were the principal cause of low wages. If farmers were to raise the wages of labourers who had large families, they must also raise the wages of those who were without; and the consequence would be improvident marriages or dissipation in the alehouse. He would support the measure, because it would take the children from the profligacy and idleness which they might see at home, and give them that education which they would otherwise be deprived of.

Mr. *Philips* agreed as to the extensive evil of the poor laws, and the difficulty of suggesting an effectual remedy. His objection to this measure was, that it would immeasurably extend that evil. It would operate most cruelly on the feelings of the respectable poor, and remove from those of a different description all restraint upon improvident marriages. By destroying all filial and parental affection, it would produce on the one hand a mass of misery, and on the other an extent of immorality that was not easily to be conceived.

Sir *R. Wilson* was wholly adverse to the principle of taking children away from their parents, and thus extinguishing all the natural affections of life. A similar experiment had been tried by the French government in Italy, and it produced such an alarm, and so much discontent among the parents of the children, that it was found necessary to discontinue the project.

Mr. *Brand* thought that this measure had a tendency to decrease the evils of the poor laws. He had always considered that the great mischief was, the low price of wages for labour; he meant strictly the wages for labour only, because he was fully satisfied, that were the poor-rates properly applied, the labourer would be amply paid. If, instead of the parish officer the master of the labourer gave the supply, not in the shape of a gratuity, but as a right for labour done, then it would be found that the labourer was fully paid. The working man would thus be worthy of his hire, and the pay would be commensurate with the labour performed. The opposers of this bill had objected that the children would be taken from their poor parents, and would become a prey to the vice, in all its deformities, which was to be met with in the workhouses of the kingdom. God forbid, that such should be the case! It was not even contemplated for a moment that these helpless infants should be taken from their parents and put into those receptacles of vice and misery—the workhouses. The utmost attention would be paid by those who should be appointed the guardians of the morals and education of the children.

Sir *James Mackintosh* felt himself called upon to declare his sentiments upon a measure of such vital importance to every class of the community. The greatest gratitude, he thought, was due by the House and the public to the committee which investigated this subject with so much skill and assiduity; but it was a most lamentable proof of the imbecility of the legislature, that for so many years these evils had been allowed to exist without the application of one efficient remedy. There appeared to be a greater difficulty in carrying into effect any practical relief to the poor labourer, than in legislating upon any other subject, however intricate or however abstruse. It was most evident that the evil was either in the poor laws themselves, or in the application of them. He thought the application of them by our ancestors was the origin of the present unparalleled distress. The interest of the poor was the interest of society itself; and if it were possible that by the sacrifice of the few, the interests of the many could be promoted, there would not remain a doubt as to what ought to be the course to be pursued. But he was anxious to impress upon the House the too evident and most melancholy fact, that the minds of the lower classes were depraved by the present system of parish relief; their pride was lowered—their spirit was broken. It was on this account that this principle, which had been pursued for so many years, ought to be so deeply deplored. Then with respect to the remedy, every measure proposed for this purpose ought to be tried by two tests: First, did it tend to bring back the ancient and wholesome system adopted in the reign of Elizabeth? and secondly, if it did, was it done with the least possible inconvenience to the country? He confessed that, with respect to the remedy now proposed, it appeared to be too much like that Spartan system of education, by which the mind was moulded into shape by rule. He really thought that the only true and natural instruction was that given under the parental roof, where the children, bound by every feeling of love and duty to the parent by whom they were brought into life, would be more likely ultimately to become good and serviceable members of society. But this was not his principal objection to this measure; he opposed it on reasons much more strong and cogent. It appeared to him, that although in the first instance, the number of applicants for relief might be decreased, yet the ultimate effect would be enormously to increase them. He conceived the measure would have the effect of creating foundling hospitals in every parish. In the ardour and zeal of the first moment, these establishments might be conducted with great care and skill, and would, perhaps, present very flattering results. But the House must feel, that exertions of this kind were short-lived; and those who imagined that a number of public officers would continue to act in this highly praise-worthy and beneficial manner, would find, in the end, that they had adopted principles essentially Utopian. Indeed, it appeared to him, that the present plan was nothing else but a new edition of the old poor laws, greatly augmented. Let the House look to the moral effect of this system. At certain periods, a great number of children, educated in these workhouses, would be sent forth to the world. The question was, could they procure employment? This was an extremely doubtful point. And what would be the consequence, if children, thus thrown on the world, having previously lived in comparative ease, were obliged to struggle with all the ills of poverty? Would not vice be greatly increased in consequence of such a measure? He disapproved of the bill, but would not take the sense of the House upon it. At a proper time, he meant to move an amendment to one of the clauses, exempting from the operation of the measure, the children of parents who were Dissenters. This he meant to do, because, under the provisions of the bill, as they existed at present, the children of Dissenters would be obliged to attend a worship which their parents did not follow.

Colonel *Wood* said, that the bill was not a compulsory measure; nor was it intended that the schools should be any other than schools of industry, where the children of the lower orders would learn the means of earning a subsistence when they come into the world. Besides, the parents of the children would no longer receive any allowances on account of their children, which allowances were generally expended in idleness; instead of that, the children would receive the advantages proposed by this bill; and he thought nothing could tend more to improve the morals and condition of the lower orders than that of giving their children instruction.

Mr. *Courtenay* denied that the bill was calculated to promote an opinion among the lower orders that they might obtain, under its operation, relief at will for themselves and children, and therefore was calculated to produce premature marriages, and an excess of population. He should certainly give it his support.

Mr. *Curwen* expressed his fears, that the operation of the bill would increase the evils of the poor laws in a tenfold degree.

The question being put, That the bill be now read a third time, the House divided: Ayes, 69; Noes. 46.

Sir J. Mackintosh then proposed a clause to allow the children of Dissenters at the proposed schools to attend their usual places of worship on Sundays, and to provide against any attempt to compel their attendance at any different place of worship.

Mr. S. Bourne observed, that the clause was unnecessary, as its professed object was already provided for in the bill. The clause was rejected, after which, the bill was passed.

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## HOUSE OF LORDS.

### *Monday, June 14.*

Cotton Factories Regulation Bill.] On the order of the day for the commitment of this bill, Lord *Kenyon* observed, that this was not in any manner a speculative question, but a question of practical humanity, arising out of the actual sufferings of the children employed in the cotton factories, for which no relief was to be found in any of the provisions of the common law, and therefore it became necessary to resort to a special legislative measure. His lordship proceeded to enter into some detail of the evidence given before the committee, for the purpose of showing the injury that resulted to the health of the children, from being employed for 14, 15, or 16 hours a day in places heated to 80, 85 and nearly 90 degrees, and that though the evidence of some of the medical men was upon this point contradictory, yet that there were amply sufficient facts given in evidence to prove that the ill state of health of these children, arising from the number of hours they were kept at work in the manner described, imperiously called for legislative interference to prevent that waste of human life which such a system produced.

The Earl of *Rosslyn* said, he should not enter much into the general principles that might be discussed in application to the present subject, but should lay it down as an incontestible fact, that parents were the natural guardians of the health and prosperity of their own children, and that the legislature ought to be slow to interfere with free labour, the regulation of which would be best provided for by leaving it to the individuals immediately concerned. He would admit, at the same time, that cases of Great abuse might occur, in which it would be wise to dispense with those established principles, but the onus of proving the enormity of the case, lay with those who undertook to call for the interference of the legislature. The noble lord who preceded him, had spoken of arts used by the opponents of the measure; but its opponents might well retort the charge upon their adversaries, who had adopted every means to excite that clamour by means of which it had passed the other House of parliament last year. The noble earl then took a minute view of the evidence before the House. Many parts of it, he observed, went to show that numberless accidents happened to the children employed in the mills, but he denied that the general bearing of the evidence upon this point, justified the exaggerated inferences of some of the witnesses. The heat of the factories was stated by some to average from 75 to 84 degrees, but it was only in the finer kinds of spinning that the high temperature was required, and the proportion which that description of work bore to the coarse was only as 6 to 100. He next adverted to the evidence of the medical witnesses, who stated that heat alone was not injurious to the human frame, and described even the transition from heat to cold as only sometimes attended with bad effects. The present bill, however, did not provide against this evil: its object was, to limit the hours of labour, and the inconvenience of passing from heat to cold was just as likely to be injurious after 11 hours of employment as after 12 or 14. The tendency of this occupation to destroy health and life was attempted to be proved by a reference to the very small number of persons to be found in those mills who had served 30 years. The fact was certainly true; but it was easily accounted for, as the very persons who made the assertion must have known that those mills were not in existence 30 years ago. It was in 1792 that they were first made use of. The noble lord then entered into details to prove that the average state of health enjoyed by persons employed in the cotton mills was more favourable than in any other trade or manufacture; that the marriages were generally more numerous and productive; that there was less sickness, fewer applications for parish relief, and consequently less distress among them than among those engaged in any other laborious occupation. He did not mean to contend from this that the employment of children from 12 to 14 hours in cotton mills was in itself beneficial to health, but as it appeared to be less injurious than other occupations, he thought it unfair that it should be particularly selected for animadversion, and even legislative interference. He must protest against any such partial measure as the present. Under the present system, the children had labour, food and cloathing—under the proposed one, they would have idleness, poverty, and wretchedness. He was aware of the earnest endeavour to introduce systems, founded on false views of humanity and benevolence, and to brand all those who opposed them with an opposite feeling. It was because he was the friend of the children, and of the parents, and of the interest of the community, that he felt it his duty to move the postponement of the committal until that day three months.

The House then divided:—For the Committal, 27; Against it, 6; Majority 21. The bill then went through the committee.

## HOUSE OF COMMONS.

*Monday, June* 14.

Contagion in the Plague.] Sir *J. Jackson* brought up the Report of the committee appointed to inquire whether the plague was or was not a contagious disease. In moving that it be laid on the table, the hon. baronet stated, that he differed from the opinion contained in the report, namely that the plague was a contagious disease, since the contrary appeared from the evidence of several medical gentlemen who had been examined. Dr. M'Cleod, a very intelligent medical man, said, that it would be impossible to bring the disorder to England, even if a large premium were offered for that purpose. Dr. Mitchell had also expressed a very strong opinion on the subject. A considerable time since, he had broached the opinion, that the disorder denominated plague was not in its nature, contagious; that the sick might be visited with safety, unless those who did so came into immediate contact with them. From the evidence of Mr. Green it appeared that the Turks constantly bought the clothes of persons who died of the plague, which they were in the habit of wearing; and yet many of them were not affected by the disease. This evidence having been given, he conceived that he was fully warranted in coming to an opinion different from that at which the committee had arrived. The consequence of the dread which existed lest the plague should be communicated from foreign countries occasioned ships to perform quarantine, or their crews to be placed in lazarettos, greatly to the inconvenience of mercantile men. Now, it was remarkable that not one instance of plague had occurred since the introduction of this system, which was a century ago. If the plague had never appeared on board ships which, during that period had been obliged to perform quarantine, the fair presumption was, that the danger apprehended was visionary, and that the quarantine system might very well be dispensed with.

Mr. *Morritt* contended, that a part of the evidence given before the committee, went to prove distinctly that the plague was contagious. The report was signed by all the members of the committee, except the hon. baronet.

Sir *Isaac Coffin* protested against any alteration in the quarantine laws. Those who said the plague was not contagious, ought to recollect that it broke out in London in 1665, and swept away a vast number of inhabitants. Probably the infection would not have been destroyed to this day, if the city had not been burned to the ground in 1666.

The Report was ordered to be printed.

Petitions against the New Taxes.] Mr. *Dickinson* rose to present petitions from Shepton Mallet and Frome, against the contemplated duty on wool. The petitioners stated, that, if the measure were carried into effect, it would occasion the total ruin of the woollen manufacture.

The *Speaker* said, that the bill, providing for this additional duty, had been read the first time, and was now awaiting the second reading. He doubted, therefore, whether the petitions could be received.

The *Chancellor of the Exchequer* said, it would be against the established rule of the House to receive those petitions, as they were directed against a tax which was voted as part of the supplies of the year.

Lord *Milton* observed, that the question was, whether the bill alluded to, and the other bills of the same description, were for the supplies of the year? He thought they were not so. They were not to furnish the supplies of the year, but to support a sinking fund for the reduction of the national debt. Now, it appeared to him, that not being bills for furnishing the supplies of the year, the House ought not to close its doors against petitions which might be presented against them. This was a parliamentary distinction, which, he believed, had been recognized more than once.

The *Speaker* observed, that he believed all resolutions agreed to in a Committee of Ways and Means were, without distinction, considered to be for the supplies of the year. He was not aware of the practicability of making any distinction on the subject.

Lord *Milton* stated, that the bills in question were founded on resolutions originally agreed to in a committee of the whole House, but not in a committee of ways and means; and that it was specifically stated in those resolutions, that it was expedient to make an addition to the sinking fund.

Mr. *S. Wortley* said, that as it seemed not to be the disposition of the House to receive these petitions, he gave notice, that when the consolidation bill went into the committee, he would take the sense of the House on the proposed increase in the duty on foreign wool.

Lord *Lascelles* said, he should certainly oppose a measure, which threatened to impose a duty on the raw material of a manufacture, which was, at the present moment, peculiarly incapable of sustaining any increased pressure.

Mr. *Calcraft* denied that the duties against which the petitions were directed were, fairly speaking, for the supplies of the year. In the first place, they were not sums annually voted. In the next place, the supplies of the year were specific services, for which sums were voted. The duties in question were for the purpose of adding to the sinking fund, and consequently not for the supplies of the year. If, therefore, by any favourable construction, the petitions could be received, he trusted they would not be rejected.

Mr. *Robinson* observed, that whenever a loan had been raised, a sinking fund was provided for, and therefore that the present duties were on a footing precisely similar to the duties which for many years had been imposed, and against the bills for imposing which, the House had never allowed petitions to be presented.

Mr. *Dickinson*, as the sense of the House appeared to be against receiving the petition, obtained leave to withdraw it.

Lord *Milton* said, he had two petitions to present against the proposed duty on wool, and notwithstanding the recent decision of the House, he would endeavour to show that they ought to be received. It had been stated by the highest authority in the House that such petitions could not be received. By an entry in the Journals for 1733, it appeared that on the 10th of April a petition was presented by the sheriffs of London, against the excise duties (the bill for imposing which had been read a first time), praying to be heard by themselves or counsel against the second reading of the bill. A debate arose, and after a recurrence to a number of precedents, the result was, that the petition should be allowed to lie on the table until the second reading of the bill, but that the petitioners should not be heard either by themselves or by counsel. A division took place on an amendment moved to the last proposition, when the numbers were 197 to 214. He would feel satisfied if the petitions were at least read; that the House might be in possession of the arguments against the proposed duty. The petitions which he had to present, were the one from Wakefield, the other from Dewsbury.

Mr. *Huskisson* conceived that the petitions were similar to those which had been already withdrawn. The noble lord might have found, upon a little examination, that the case to which he had alluded was not one precisely in point, as the law respecting the excise was one of regulation, not of an additional tax. That this tax was for the support of the sinking fund, was an erroneous impression; it was like any other tax for the ways and means of the year, and he conceived the House could not receive the petition unless they admitted the principle of receiving petitions against proposed taxes.

Mr. *Brougham* could not agree with the construction which Mr. Huskisson had put upon the precedent. If the petition of the city of London had been objectionable, as being against a proposed tax, it would not have been ordered to lie upon the table till the second reading. In 1720 a petition was received from the soapmakers and chandlers of Bristol against an increased tax upon soap. This petition was not allowed to lie upon the table, but it was read, and he conceived the same should be adopted in the present case.

Lord *Castlereagh* said, it was better that there should be a rule against receiving petitions in cases like the present, than to receive, and then reject them. In the latter case, it would appear as if the House had decided against the prayer of the petition.

Mr. *S. Wortley* said, there was a note in Hatsell to the precedent alluded to by his noble friend, which did away the force of it. On that occasion the Speaker stated, it had been the practice for more than a century to make the city of London an exception from the rule; for when the sheriff of London was allowed to appear at the bar with a petition, the House could not be supposed to know the nature of that petition until they heard it read.

Mr. *Brougham* contended, that the precedent in question went farther than the receiving a petition and allowing it to be read—it allowed it also to lie on the table.

The question, that the said petitions be brought up, was then put and negatived.

COMPLAINT AGAINST "THE TIMES" NEWSPAPER.] Mr. *Canning* said, he felt it his painful duty to call the attention of members to a case in which their privileges were materially involved. The duty was in itself painful, but he felt the more reluctant to discharge it as he himself was personally concerned. No man could be more sensible than he was of the expediency of suffering all that passed within the walls of that House (whether by permission—the propriety of which he would not inquire into; or by connivance, as was the case at present) to be communicated to their constituents and the public at large. He was fully aware of the benefits which were to be derived from it in either way; but he thought the latter was the better mode, as the House would, as they now did, hold within their own hands the power of an immediate check upon any abuse of it. He was convinced that such an indulgence as he alluded to was liable to abuse, and of course to casual error; but whenever a gross and wilful mis-statement of what had occurred was sent before the public, it was the duty of the House to interfere, to assert its own rights, and correct the errors into which the public might have been led. For five and twenty years, during which he had had the honour of sitting in that House, he had never complained of any abuse or incorrectness which might have found its way into the reported accounts of what occurred there. He would except one occasion—the last session, when he had to make a complaint of the same newspaper which he was now about to bring to the notice of the House. On that occasion he had felt it his duty to call the attention of the House to a gross mis-statement of what had passed within its walls—a mis-statement, in which not he particularly, so much as the House in general, was concerned. At the time that he had called the attention of the House to this circumstance, he declined taking any further step upon it, in the hope that the misrepresentation was accidental, and that the notice of it would have operated as a warning against any recurrence of the same nature. He was now sorry to find that that warning was without effect. He was sorry to observe, that a statement had appeared in the same paper, which the most candid mind must admit was a gross misrepresentation. Indeed, the misrepresentation of which he had to complain was so gross and malignant as to leave no doubt that it was not the effect of mistake. The House would recollect, that on the debate on Tuesday last, an hon. member (Mr. Hume) had delivered an opinion upon the subject then before it. He (Mr. Canning) was not in the House at the time, but he came in before the debate was ended, and finding that, so far from any thing warm or personal having occurred, the House was in a state of langour, he could not of course imagine that any thing referring personally to himself had been uttered, and therefore had no explanation to give; but what was his surprise, when on the following day he found, that in the report of the debate in "The Times" newspaper, the hon. member had been made to say, what he (Mr. C.) should then read to the House. The hon. gentleman, speaking of the economy which should be observed, was made to say—"Instead of that, he saw a military mania prevalent, that cost the country incalculable sums; bands, trapped in scarlet and gold, were daily paraded through the streets, as if to mock the squalid poverty of the lower orders." Here the editor put in a remark of 'laughter from the ministerial benches.' The report then went on, and the hon. member was made to say, "Ministers might laugh, but let them look at the other side of the picture; let them survey the misery of the poor, industrious wretches at Carlisle; or even of the unhappy beings they meet in our streets, and he believed there would be found but one man among them who would still keep a smile upon his countenance—and that would be a smile of self-congratulation from a right hon. gentleman (Mr. Canning), that by habitually turning into ridicule the sufferings of his fellow-creatures, he had been able to place himself so far above their unhappy condition." To this was added, the words 'continued cheers.' Now, if any hon. member would get up, and declare upon his honour, that if the hon. gentleman had not said the words imputed to him, the report which he had read was any thing else than a gross and malignant misrepresentation, he would give up any further notice of it. Imagining at the moment that so gross a misrepresentation would not have been made, he had thought it right to make an inquiry respecting it. The first step which he took was, to apply to the hon. gentleman opposite, and to inquire through a noble lord, whether he had or had not used the language attributed to him. From the noble lord through whom the communication was made, he had received such an answer as the time and the circumstance of the hon. member's being then in attendance on an election committee permitted. He stated, that from the recollection which he retained of what he had said, he was convinced he could not have preferred such a charge; but as he had not seen the paper, he could not answer positively with respect to it. At the desire of the hon. gentleman, he (Mr. Canning) sent the newspaper in question to him; and the result had been, that the hon. gentleman had sent him a most candid, a most honourable, a most satisfactory, and a most gentlemanly explanation of the words which he had used, and had stated in it, that the representations of the newspaper were totally incorrect. In consequence of this disclaimer, he had given the hon. gentleman notice, on Saturday, that he should bring this breach of privilege before the House. The House would see, that as far as he was himself concerned, he could have no satisfaction in bringing before it any thing which related to himself personally: of what came from a respectable source, of what rested upon good authority, he might think it requisite to demand an explanation; but that which originated from a source not respectable, that which rested on such authority as that of the wretch, whoever he might be, who had penned this paragraph, was far below contempt in his estimation. But though he was satisfied as far as he himself was personally concerned, he had a duty to discharge towards the House. There might be many members less hardened by experience than he was, to attacks of such a nature—men, who would rather bear a misrepresentation in silence, than call the attention of parliament to it; it was in their behalf that he called upon the House to take notice of the libel which had been published against one of its members—a libel, which was the more infamous, because the author of it, instead of putting it forth as his own opinion, put it forth as the opinion of another, and thus attempted to make the name of an hon. member a cover for the slander which he had not himself the courage to avow. If such a breach of privilege was allowed to go unchecked, it would be in the power of any individual to publish to the world any slander which he might think proper, regarding its members. For, what were the resources to which he could appeal? The courts of law were good for nothing: if he carried it to the Court of King's Bench, he would not be allowed to produce evidence to show whether what had been imputed to the hon. gentleman had been said or not; and although he might gain satisfaction for the act, he might gain it from an innocent person, who had given a true report. As little could the House afford him redress, unless the newspaper was in fault, and unless such an admission were made, as on this occasion had been made by the hon. gentleman. Thus the slandered person was either to acquiesce in the slander, or was to have recourse to that direct personal appeal, which he should not mention in any plainer terms in that House. If this were the case, it would be left in the power of the meanest scribbler who disgraced the press to traduce any two of the most hon. members that adorned parliament by his calumnies, and thus reduce them to that unpleasant alternative to which he had previously alluded. He therefore could not help asking the House, whether it was not their duty to interpose and prevent the occurrence of any such mischief as that which he had contemplated. Every person might not be possessed of the same candour and liberality as the hon. member to whom he had addressed himself; he might have made an appeal to a man not at all deficient in feeling, but who from a principle of pride or of carelessness, might have answered that, when their speeches were once delivered, they knew nothing, and cared nothing about the newspaper reports of them. He could not have collected any evidence on the point from those who heard the obnoxious assertions, because every man to whom he had applied would have known the object for which he was collecting it, and no man who did not possess the very strongest nerves would give such information as would lead two individuals to that extremity which was not to be mentioned. He thought, therefore, that the House were imperiously bound to take such measures as would prevent the recurrence of such a misrepresentation as that of which he now felt it his duty to complain. In laying the paper which contained it on the table, he was following that line of conduct which his conscience suggested to him to be correct, and was not gratifying any private views or feelings of his own; indeed, for himself, he had nothing to ask; it was for the protection of others rather than of himself—it was for the dignity of the House—it was for the security of its debates, that he pressed the House to take the subject into their most serious consideration. He thought it only fair to inform the House, that there was in the newspaper of that morning an apology or an atonement for the mis-statement which had appeared. He would read the paragraph to the House. The right hon. gentleman then read the following paragraph from The Times of yesterday:—"We regret to state, that a considerable error crept into our account of Mr. Hume's speech on bringing up the report of the committee on the finance resolutions on Tuesday evening. In the great mass of matter which must every night be got ready for the press, after the debates in the two Houses are ended, or while they are going on, it is impossible that mistakes should not sometimes occur. We can only say, that it is our most anxious desire to send forth a just and impartial representation of what passes; and whenever we fail of success, such are still the pains we take, that we should hardly have to solicit indulgence upon the plea of *incuria fundit;* our failure must be laid to the imperfection of our common nature—*humana parum cavit natura.* Mr. Hume spoke with much feeling and animation of the distresses of the poor, and observing, as we understood by our reporter, a smile upon the ministerial benches, is represented by us as taxing only one right hon. gentleman, Mr. Canning, with indulging in laughter on so serious a subject. That right hon. gentleman, we have since learned was not present. We shall not now repeat the offensive passage for the sake of correcting it: suffice it to say, that Mr. Canning was not attacked as described in our report. We are enabled, from the most authentic source, to lay before our readers the passage which was so misunderstood by our reporter." After he had finished reading it, he resumed.—If the present were a case of omission, or of accidental mistake, he should be the last person in the world to complain of it; but what *incuria,* what error, or what mistake could lead the author of this calumnious paragraph to the belief that he (Mr. C.) was present at the debate, and that he had joined in a laugh against the sufferings of the poor? The paragraph of which he complained was a long and not a hastily written paragraph; indeed, it was most artificially constructed, and could not have been the production of a mere moment's consideration: it represented him receiving as sharp a rebuke as could be made, without saying a single word in reply; and depicted him with a smile flickering on his lips, whilst bearing a chastisement, too severe for any being with the feelings of a man to have borne with tranquillity. And yet this was to be represented as a fault of omission, or as an error arising from the imperfection of human nature! That it was a fault of omission or of accident, no man could believe; that it might arise from the imperfections of human nature, he was willing to allow; for he had always counted amongst them malignity and falsehood. So far as himself and the House were concerned, this apology was a greater offence than the original misrepresentation. The House was to be thanked, forsooth, that its debates were so fairly and faithfully given! its gratitude was to be granted, because errors were so seldom admitted! Instead of complaining of them when they occurred, the House was to be indebted to the reporters for their general accuracy; and its members were to have no reason to complain of them, even though they were held up to the ridicule and detestation of the country! He wished to press upon the notice of the House, what had been the effect of this error, this mistake, this imperfection of human nature. The paragraph had first appeared on Wednesday last, and had not been contradicted till this present Monday: in the meantime, every Sunday paper, and every provincial paper, had copied the paragraph, with this lying representation. If this late apology were considered an extenuation instead of an aggravation of the original offence, the House would be abdicating its power, its right, and its duty, of seeing that the communications which were made of its proceedings to the country were fairly and honestly made; that power they had not abdicated—that right, though not insisted on, they still maintained,—and that duty they could never abandon, if it was true, that the privileges which we enjoyed were the privileges of the Commons of England, given to us not as an enjoyment or a distinction, but as a means whereby we might be enabled more fearlessly to withstand the encroachments of the Crown on one hand, and the inroads of popular licentiousness on the other. He had now discharged his duty in laying this case before the House, as also what had been said in extenuation of it. As it related to himself personally, he should not suggest to the House the mode in which they ought to dispose of it; but he trusted they would dispose of it in such a manner as would vindicate the privileges of the House, and secure to themselves those immunities on which the rights and liberties of the country so essentially depend. The right hon. gentleman then sat down; after which the clerk proceeded to read the two paragraphs to which Mr. Canning had called the attention of the House. When the clerk came to the words "continued cheers,"

Mr. *Canning* said, that as to the continued cheers which were said to have taken place, though he had made considerable inquiry, he could not find any individual who had any recollection of them.

After the reading of these papers was concluded, a short pause ensued, which was ended by the rising of

Mr. *Hume*, who said, that he would state as concisely as he could, the view which he had taken of the present question. On the night previous to the day on which he had received Mr. Canning's first communication he had been in the House till a very late hour, and as he had occasion to attend an election committee that day at 10 o'clock, he had left his home at 9. This prevented him from paying immediate attention to the right hon. gentleman's communication; but when he did read its contents, he felt convinced that he could not have said any thing which could be construed into a personal attack upon that right hon. gentleman. The remarks which he had made were directed against his majesty's ministers in general, and not against any one of them in particular; what he had said was not said in anger—what he had uttered was uttered without malice, and came directly and sincerely from his heart. He therefore had no hesitation in addressing a letter to the right hon. gentleman, stating, that though he had not seen the newspaper, there was not a single sentence in his speech which could be considered as an attack upon his character. Anxious, however, that no time should be lost before the misrepresentation was corrected, he wrote to the right hon. gentleman a letter, in which he requested that a copy of the newspaper should be sent to him. The newspaper was accordingly sent; and when he saw the paragraph, he had no hesitation in saying, that it was a gross calumny on the character of the right hon. gentleman, and a strange misrepresentation of what he had himself said. In consequence of this, he wrote a second note to the right hon. gentleman, stating his opinion of the incorrectness of the paragraph, and promising that he would put on paper, as nearly as he could recollect, every word that he had actually said. When he had alluded to the gentlemen opposite, he had expressed a regret that the hon. member for Liverpool was not in his place among them; and he had no hesitation in saying that he had felt that regret, because, irritated as to the puny savings which the right hon. gentleman had said that the opposition side of the House were always recommending, he had intended to have expressed his opinion in stronger terms than he actually did express them regarding the conduct of the right hon. gentleman. It would be recollected, that they had sat for three successive days to the late hours of 2 or 3 in the morning; and this circumstance, joined to other engagements, prevented him from thinking of sending to the editor of "The Times," and desiring him to correct the misrepresentation. As soon as this idea occurred to him, he wrote to the editor, informing him of the calumnious mis-statement, and requested him to make an apology for it as public as was possible. The letter was sent by a servant of his own: at the time of his sending it, the editor was out of town; but as soon as he returned, he sent him (Mr. H.) a letter couched in strong terms of regret for the mistake which had occurred, and desiring to explain the circumstances under which it had originated. He had, however, declined to receive him (the editor), because he thought that the best course which he could adopt was, to send him a note, stating, that it was absolutely necessary that he should make an apology, and conveying him a copy of what had actually been said by himself on that day. This the editor did not receive till Sunday, which would account for the apology not appearing till the paper of Monday. The hon. member said, he regretted extremely that any such circumstance should have occurred between the right hon. gentleman and himself; for if there was any individual in the House with whom he wished to stand well, it was the right hon. gentleman. The course of their public business brought them much together, and if any thing was to be done between them, it would be transacted better in an amicable than in an unfriendly manner. Since he had been a member of that House, he had paid much attention to the debates which had occurred in it, and to the manner in which those debates had been reported. From observation he could state, that the reports in " The Times" were very fair—in no other instance had he seen any misrepresentation, and he was inclined to think that this was not a wilful mistake, or the effect of any malignant feeling. If he had acceded to the request made by the editor of " The Times," in his letter, the right hon. gentleman might perhaps have received such an explanation as would have satisfied him. By not having had an interview with him, and not having introduced him, as he probably wished, to the right hon. gentleman, he might have deprived him of the opportunity of offering such an exculpation of himself as would have completely satisfied that right hon. gentleman. He sincerely believed, that the misrepresentation complained of must have originated in mistake, and not in a spirit of malignity and falsehood.

Mr. *Lushington* thought that no man could have any hesitation in declaring that this misrepresentation did not originate from accident. With regard to the assertion, that no other misrepresentation had taken place in " The Times" paper, many days had not elapsed since he had had reason to make a complaint of this very editor. He alluded to the mis-statements which had been given to the world respecting the case of captain Hanchett, regarding whose character he believed that an hon. gentleman opposite (Mr. Bennet), entertained nearly the same conviction as he did himself. He begged to press upon the attention of the House the effect of these misrepresentations. Many of those individuals who were politically opposed to him at Canterbury, were disseminating statements of his case, which they backed with quotations taken from The Times. This was a most foul abuse of the indulgence granted by the House, and in the present case was of such a nature as to demand of the House, to interpose with its authority.

Mr. *Wynn* said, that there was only one course for the House to pursue, and that was to call the publisher and printer to the bar of the House. The publishing of the debates in parliament, whether it was done by its permission or connivance, was of inestimable benefit to the public; but then it was proper that they should be fairly represented, and not converted into an engine to gratify private malice or party purposes. In the present case, he could not see how this misrepresentation was to be attributed to accident; and as he could not, it appeared to him to be precisely one of those cases in which the House was bound to assert the rights which it possessed. The breach of privilege was in the present instance of a complicated nature; the first breach of privilege he need not mention, as it was well known to every member in the House, and had now been overlooked for many years; the next breach of privilege was against the right hon. gentleman opposite, whose character had been calumniated; and the third breach against the right hon. gentleman to whom foul language had been attributed. There was no other course for the House to pursue than to order the printer to appear at its bar tomorrow.

The *Speaker* then put the question, that C. Bell be ordered to attend at the bar of the House to-morrow.

Mr. *Wynn* asked, whether the more usual way of proceeding was not to move a resolution that a breach of privilege had been committed, and then, after this resolution had been carried, to move that the publisher be heard at the bar of the House.

The *Speaker* said, that a case had occurred in 1805, where this mode of proceeding had been dispensed with. The printer of the paper had then been called to the bar, and asked whether he was editor of it likewise. There was, indeed, some difference between that case and the present: that case regarded a paragraph which commented upon the conduct of certain members of parliament: this related to the publishing, and the publishing incorrectly, the debates which occurred in this House. One breach of privilege was therefore most undoubtedly committed.

The *Speaker* then put the question a second time, that C. Bell do attend the bar of the House to-morrow.

Some hon. members suggested the propriety of making a similar order with regard to the editor of The Times.

Mr. *E. Littleton* concurred in this suggestion; as he thought that the paragraph was conceived in malignity, and was engendered in falsehood.

The *Speaker* said, that the House would see the awkward situation in which its officers would be placed, if an order should be issued to compel the attendance of the editor, and the officers should not know who the editor was. The House was in the habit of receiving information from its own members, and therefore, if any hon. member knew who the editor was, and would give that information, they were at liberty to receive such information, and to act upon it as should seem best to them. The printer was known, and therefore they could summon him and examine him at their bar.

Mr. *Wynn* observed, that the printer and publisher of the paper were the persons whom the law considered liable for every article that appeared in it. The order, compelling the editor's attendance would be in the nature of a general warrant, which it was well known was illegal. Unless, therefore, any gentleman would state who the editor was, the best plan that the House could pursue was, to examine the printer at the bar, and to obtain from him the name of the editor.

Mr. *Littleton* suggested, that there was one hon. gentleman in the House who could afford the information which it wished to obtain. It was the hon. gentleman who had carried on a correspondence with the editor.

Mr. *Hume* said, that he had written to the editor of The Times generally, and that the letters which he had received from him in return were written in the name of the editor, and dated from The Times office.

Lord *Castlereagh* observed, that there could be no doubt at all of the malignity of the publication. He thought that it would be expedient now, as in former cases of this nature, to pass a vote declaring it to be a gross breach of privilege.

Mr. *Wynn* said, that whatever measure the House determined upon adopting, ought to be adopted with deliberation. This paragraph first of all was a breach of privilege; and 2ndly, a most gross and infamous libel. That consideration would come before the notice of the House more properly to-morrow.

Mr. *Brougham* observed, that there was only one opinion and one feeling on the subject; and every one who had heard the clear and able statement of the right hon. gentleman opposite, could not help concluding that this paragraph was a breach of the privilege of the House. As that question was, therefore, already settled, he did not rise to say any thing upon it; though he must entreat the attention of the House before they entered further upon this business. It was very clear that the matter could not stop in its present stage: he did not mean to say that this was an argument against their proceeding further in it, but that this was not the only newspaper in which the most malignant attacks had been made upon honourable members, in contempt of all the privileges of the House. He did not allude now to the specific breach of privilege committed in the publishing of the debates, by which the House, the country, the constitution, and no one part of it more than the executive government, were highly benefitted, but to those gross misrepresentations by way of comment on the debates of the House, which must arise either from the most culpable negligence, or the most abominable malignity. These mis-statements were not brought forward in the clumsy mode which was complained of to-night; they were not put by a reporter into the mouth of another, but they were the declared comments of the publisher, who was either guilty of the misrepresentation himself, or else had lent himself most unjustifiably to it. To give instances of this nature would be endless. He should content himself with mentioning one case in which his own character had been attacked, and his meaning misrepresented. After the satisfactory denial in that House by his noble friend, the member for Yorkshire, of the circumstances to which allusion had been made, he took no further notice of the subject; and it gave him satisfaction, because he knew that at that time other gentlemen had grounds to bring forward similar complaints, and which must have been brought forward if he had persevered; if A took notice of one attack, B and C would be under a sort of necessity of following it up with such as had been made upon them. Only a few weeks ago, one of the public papers had most unjustifiably assailed the hon. member for Southwark, and had even endeavoured to expose him to popular violence. What he apprehended was, that if in consequence of the very just statement of the circumstances of the case by the right hon. gentleman, the House thought fit to proceed further, it might be called upon so frequently to adopt the same steps as to the past. As to the future, it would be their own fault if the editors of newspapers incurred the displeasure of the House. The complaints as to the past would be endless and the result must be an injurious impediment to the free communication of the proceedings of the House to the public. At the same time, he by no means intended to oppose the motion, if it was thought good to press it forward. He entertained as strong an opinion and as warm a feeling upon this subject as any hon. member; he only called their attention to the probable consequences of the course now suggested. Undoubtedly the abuse was gross, and it was necessary that it should be checked; but he thought that more good would perhaps be attained by stopping here than by taking any more severe notice of the matter. If he might presume to offer advice to the House, his advice would be, that it should not go beyond the letter of the example that had been set on a former occasion; if it did, complaints could not be confined to misstatements in reports, but must extend to breaches of privilege in comments upon them.

Mr. *Canning* again rose, merely because the hon. member had called upon him for an opinion. When he put the newspaper into the hand of the clerk, he had declared his determination to take no farther part in the discussion. He had discharged a painful duty in bringing the subject forward: he had done so after much deliberation; and whether such conduct were or were not fit, it had been influenced by no wish to gratify personal feelings.

Mr. *J. W. Ward* observed, that the course recommended by the hon. member would lead to this inconvenience—that it would open the door to endless attacks of the same unwarrantable kind that had been made, not only on his right hon. friend, but on the hon. and learned gentleman. He referred to the similar complaint made by that hon. gentleman, and to the milder notice that at his suggestion had been taken of it by the House. The hon. gentleman suggested that the same course ought now to be pursued; that further steps should be wisely abstained from; but it was precisely because the House had acted unwisely upon that occasion, that the House was now troubled with a repetition of the offence. He did not see how the House could allow this attack to pass without some sort of punishment; it ought not to pass wholly unnoticed, unless the House meant it to be understood, that in future all attacks might be made with impunity. He could hardly conceive it possible that the utmost licence of falsehood and malignity could carry the press further in a violation of the privileges exercised by the House. With whatever favour the House might be led to regard the publication of its debates, it was impossible that such an excess of licence could be permitted, and for this plain reason—that it was suspending over the House a power greater than itself: it was, in fact, rendering the press master of the parliament, and of the characters, feelings, and individuals of the persons composing it.

The question was then put and carried, that Mr. C. Bell do attend the House to morrow.

CASH PAYMENTS BILL.] On the order of the day for the third reading of this bill,

Mr. *Manning* observed, that he wished to propose a clause which he conceived essential to this bill. The Bank committee had reported, that in order to prepare for the resumption of cash payments, it was necessary to pay to the Bank 10 millions of the debt due to them by government. He had looked over the bill very minutely but could not find a single word which provided for the repayment of this sum. It was necessary, however, that some steps should be taken to this effect. If parliament made it imperative on the Bank to resume payments in bullion at a certain period, and ultimately to pay in specie, they ought to adopt such measures as would enable the Bank to meet the wishes of the House. His object was, to secure the opinion of the House, that the sum of five millions ought to be secured to the Bank, to be paid up at an early period next year. If this clause were adopted the payments would not commence until July, and would not be made up until the 15th of April next year which was more than two months later than the chancellor of the exchequer contemplated. In moving this clause, he was not actuated by any hostile feeling, neither he nor the other directors wished to throw any impediment in the way of ministers, or to prevent the recommendation of the committee from being carried into effect. All he wished for was, that parliament would secure to the Bank the payment, within a certain period, of five millions due to them by government. The clause he meant to propose was, "That in order to enable the Bank to have a perfect control over its issues of notes, and to enable them to provide for the proposed payments in gold, it was necessary that government should secure the payment of the proposed sum of 5,000,000*l.* to be paid in monthly instalments of 500,000*l.* commencing on the 15th July next, and to be continued monthly until the 15th of April which would make good the above sum."

Lord *Castlereagh* requested of the hon. member to postpone this clause until the chancellor of the exchequer was in his place.

Mr. *Ellice* said, he intended to propose a clause or two which he conceived important to the bill. His object was, to do away the alarm which was excited from the Bank narrowing its issues. If the Bank reduced their issues, merchants could call for gold bars in the course of next year, and would have the option of sending them to the Mint, to be coined into guineas at the rate of 3*l.* 17*s.* 10½*d.* per ounce. If this was done in order to increase the circulating medium, the money so coined must ultimately find its way into the Bank, the great depôt of all large payments. But according to the proposed regulations the Bank could not re-issue this money until 1823. The object of the clause he meant to propose was, to leave it at the option of the Bank to pay or exchange their 1*l.* and 2*l.* notes in gold, at any intermediate period between those mentioned by the report. If this was adopted, he intended to propose some amendments in the body of the bill. The hon. member then moved the following clause: "Provided also, and be it hereby enacted, that the governor and company of the Bank of England, if they shall see fit, may at any time on or after the 1st of May 1821, pay or exchange the lawful coin of the realm, for the notes of the Bank, payable on demand, any provisions in this act, or in the before recited acts to the contrary notwithstanding."

Mr. *Peel* said, he could not agree to the clause proposed by the hon. member, as it would have the effect of placing the country in the same situation as it stood in 1816. It would further have the effect of impressing the public that parliament was not quite in earnest in its efforts to resume cash payments. He had no objection to the clause now proposed, as it did not make against the principle of the bill.

Mr. *Dennison* observed, that the great issues of the Bank were occasioned by the wants of an expensive administration, and he thought that measures ought to be taken to place the Bank in a situation to fulfil the conditions imposed on them by parliament.

The clause was agreed to, and added to the bill by way of rider Mr. Manning then proposed his clause.

The *Chancellor of the Exchequer* objected to it on the ground that it would be improper to tie government up to any specific period when this sum was to be paid to the Bank. The hon. director knew that if the Bank had made advances on the present loan, as they had done on former loans, provision might easily have been made to repay this sum. Of the present loan of 12 millions, 6,000,000*l.* was in exchequer bills, and the other 6,000,000*l.* was to be made good by monthly payments of 600,000*l.* out of which it would be impossible to pay 500,000*l.* per month to the Bank. It was intended to take 12,000,000*l.* from the sinking fund, but this was to be applied to the current service of the year. The hon. member was aware, that of this loan, near three millions would be to be paid after April. It was intended that the proposed sum should be paid in the course of this and the next year, but he could not consent to fetter government to a specific mode of payment, which it was more than probable they would be unable to fulfil.

Mr. *Ellice* was of opinion, that there was strong reason for binding government on this subject, and thought that whilst every thing was required from the Bank, nothing was done for them. He admitted, however, that there might be difficulty in making regular payments during the present year. The Bank, he conceived, acted wisely in refusing to make any advances upon the present loan, under the circumstances in which they were now placed.

Mr. *J. Martin* suggested, that if the Bank were to sell exchequer bills at those periods when they had just paid the public dividends, their own notes would flow back, and in some degree enable them to regulate the currency.

Mr. *Primrose* supported the clause, on the ground that the House ought to see distinctly that means were adopted for carrying their own resolutions into effect. One of his reasons for voting in favour of increased taxation was, that the Bank would thereby be enabled the more effectually to control its issues.

Mr. *Huskisson* observed, that the 5,000,000*l.* was not a divided sum. A specific provision had been made for its repayment, and it could not be otherwise appropriated. Although monthly instalments might be inconvenient to the treasury, he had been glad to hear from his right hon. friend, that as far as equitable payments could be effected, that end should be consulted. The supplies and expenditure for the year ended with the year, and the excess never reached beyond the April quarter; the payments from the sinking fund might not be concluded till one quarter after.

Mr. *Manning* expressed his disposition to modify his clause, so as to make the payment of the sum alluded to complete by the 1st of May, 1821.

The *Chancellor of the Exchequer* observed, that the re-payment of the sum referred to by the hon. member had no immediate connection with the present bill. The sum of five millions, due by government to the Bank, had already been voted in the committee of supply, and that sum would of course appear in the appropriation act, upon the discussion of which it would be competent to the hon. member to bring forward his proposition.

The clause was withdrawn.

Mr. *Ellice* then moved, with a view of recording his disapprobation of resuming cash payments by intermediate steps, that the fifth and sixth clauses should be omitted.

Mr. *Peel* thought it extremely desirable to retain these clauses. The hon. gentleman, in arguing on the effect which this measure would have on the value of paper, had taken the maximum of depreciation, and had said that, if you take a bank-note to the Bank, you will receive gold in exchange at the price of 4*l.* 1*s.* per ounce. That, however, would be the case during the first period of the resumption only; and if the holder of the note were to keep it in his possession till the final resumption, he would receive gold for it at the Mint price. His principal objection to the motion was, that it would have the effect of abrogating the resolution which allowed the Bank time for preparation.

Mr. *Pearse* thought that various causes might arise to affect the exchanges and raise the price of gold, to the serious loss of the Bank. Among these possible causes were to be contemplated foreign loans. Indeed, the impression that a Prussian loan was to be raised in this country was very general. He was certain the conduct of the Bank had always been regulated by a desire to limit their advances, and at the same time a wish to assist government to the utmost of their power. He supported the amendment.

Lord *Castlereagh* hoped the hon. director would see, that there was nothing in the state of the exchanges, or in the present situation of the country, to render the working of this measure alarming; and that the House ought not to be deterred from adopting it by the contemplation of possible occurrences. He had heard the report of an intended foreign loan, and the result of the inquiries he had made was a firm conviction that it was unfounded.

The House divided on the question, "That the words proposed to be left out stand part of the bill:" Ayes, 166; Noes, 21. The bill was then passed.

### *List of the Minority.*

Barnet, James
Boswell, Alex.
Callaghan, Gen.
Denison, J. W.
Douglas, W.
Dent, John
Forbes, Charles
Gordon, Robert
Heygate, Ald.
Innes, John
Irving, John
Lawson, M.
Longman, G.
Manning, Wm.
Marryat, Joseph.
Mellish, Wm.
Pearse, John
Robarts, A. W.
Robarts, W. T.
Sinclair, George
Smith, Samuel

TELLERS.

Ellice, Edward
Grant, J. P.

CHARITABLE FOUNDATIONS BILL.] The House having gone into a committee on this Bill,

Lord *Castlereagh* said, that with respect to the general principle of the bill, it was similar to the measure which passed that House last year, and was sent to the House of Peers; but the House would recollect, that the bill was returned much narrowed in its general purview by their lordships, and the inquiries were limited to such charitable foundations only as were connected with the education of the poor. He now submitted a bill for the consideration of the House, which would embrace a more extended object, and was nearly similar to that which last year passed that House. It would be satisfactory to hon. members to be in possession of the report of those commissioners who had been appointed to inquire into the charitable institutions, previous to any discussion upon this bill, and for that reason he should be very short in his explanation; but he had the satisfaction of informing the House, that prospects had considerably brightened by the success which had attended the labours of the commissioners, aided by the active and distinguished part which had been taken by many honourable members of that House. This report, he had no doubt, would give great satisfaction to the House and to the country, and would show that the inquiries had been made without pain or vexation to any of the parties concerned. Having said so much, he should proceed shortly to detail the provisions of the bill, and should direct his attention to two main points—1st, as to the mode in which the proposed alterations were to be made; and, 2dly (and this was the only branch of the subject upon which he expected any difference of opinion), the exceptions made in favour of certain institutions directed to charitable purposes. As to the commissioners to be appointed, in the former bill the number was eight, who were to be entitled to receive regular salaries, and six who were to execute their office without compensation: there were also by that bill to be three commissioners required to constitute a quorum; and therefore to form three quorums, one of the six unpaid commissioners must have been necessarily added to the eight commissioners who received salaries. The first alteration which he should propose to introduce into the present measure, was relative to the number and power of these commissioners, to multiply the former and to extend the latter. He should propose that the number of paid commissioners should be augmented from eight to ten, and the unpaid commissioners from six to ten. He should further suggest, that two instead of three be a quorum, excepting in the case of a report being made to parliament, and on such an occasion, five at least should be required to draw up the report. As to the payment of the commissioners salaries, he proposed that it should be 1,000*l.* a-year; and for this purpose he should move a grant of 10,000*l.* for the salaries, and 8,000*l.* for contingent expenses. With respect to the extension of the powers of the commissioners, he suggested that they should be similar to those of the commissioners of army accounts; namely, to authorize them to examine upon oath, and upon refusal, to commit the parties. The power of fining, however, was to be exercised by a higher authority; viz. by the vice-chancellor, the master of the rolls, or a judge of the court of exchequer. A clause had been introduced, the object of which was to enable the commissioners to call upon the attorney-general to proceed in cases of irregularities. This course he had taken in imitation of a plan adopted in a bill which had been introduced by sir S. Romilly; viz. to proceed by petition before the lord chancellor, and he should recommend that both parties should be relieved from the expense of stamps. Another alteration from the measure of last session, which would have the effect of abridging greatly the length of this proceeding, was, to take away the intermediate appeal. As the law now stood, there was an appeal to the lord chancellor, previous to the case going to the House of Lords. This he proposed to take away. By these arrangements he thought the authority of the commissioners would be rendered more effectual, and he conceived that there would be a considerable advantage in enabling them to call in the assistance of the law, with the least possible delay, to correct any irregularities which might occur. He now came to the second head; viz. the exception to particular charitable institutions; and he begged to say that there was nothing new in the clause he had introduced, as compared with that inserted in the bill of last session, excepting so far as regarded charities created by private voluntary subscriptions. It never was intended to carry the inquiries into such institutions, and, indeed, it would be a most impolitic step; because, independently of its indelicacy, it might have the effect of checking the increase of those most useful establishments. With this single exception, then, he had adopted the clause which had been introduced into the bill of last session. With regard to those charitable institutions which had special visiters, they had also been excepted. Such a clause had been introduced into the former bill, and he conceived that little objection would be made to it. Upon the general propriety of this exception, the more he considered it the more he was convinced of its necessity; and it was a principle which had always been recognized in every measure of a similar nature to the present. Thus he had shortly given the outline of this bill, and it would be observed, that it embraced a much more extended object than that which had passed the legislature last year. It would have the effect of giving greater activity to the labours of the commissioners, and of rendering them mild in their measures, and effectual in their purpose.

Mr. *Brougham* said, he should give his decided approbation to the greater part of this measure. Upon a comparison with the bill of last session, the House would readily see his reasons for expressing his cordial acquiescence in the proposals of the noble lord. When he reflected upon the reception which that measure had met with in the other House—when he considered that nearly all the provisions of this unhappy bill had been the object, not of the most measured invective or the least sarcastic ridicule, both in and out of parliament, he was indeed surprised that all these clauses which had thus been indignantly rejected, were now restored, and had the singular felicity of coming recommended to the House by ministers. It was first proposed not only that charitable institutions connected with education should be the subject of inquiry, but that all charities should be equally investigated. "What," it was asked, "inquire into all the charities of the kingdom? Good God, what endless discussion! Why, there is not a village or hamlet without a charity. Confine it to education charities, and there will be some limit; but if it be extended to the whole range without discrimination, God only knows where it will end." Upon these grounds the clauses were rejected, and the bill had been narrowed. A few months, however, had produced a most happy alteration in the minds of those in another place. This led him to advert to one exception which the noble lord had added. A provision was introduced into this bill, "that all charities which had originated or might originate in voluntary contribution, should be exempted from the inquiries of the commissioners." If the provision had ended there, it would have been inconsistent, for all charities originated in voluntary contribution. It was therefore added, "or where principally supplied by voluntary contribution, and were governed by committees chosen by voluntary contributors." The one part of this provision must be taken together with the other, so that it excepted all charities principally supported by voluntary contribution. Something of this kind was necessary in order to encourage charity. But if such an exeption had been introduced into the bill last year, that extreme subtlety, that ingenuity which knew no bounds, that love of objection to which the failure of the former bill had been owing, would have at once rejected it. There was a doubt what "principally" meant. Was it the half? Or, if it exceeded a mere moiety, were the permanent funds not to be inquired into. If 900*l*, arose from voluntary contribution, and 300*l*. from land, it would be too much to say that the latter ought not to be inquired into. He did not despair of exempting voluntary contributions, and at the same time having permanent funds inquired into. It often happened that charitable institutions originated in the more fleeting resource of annual contributions. In such cases it was too much to say, that because the origin and part of the sources proceeded from annual contribution, the permanent funds should not be inquired into. But if it was possible to avoid damping contributions without this exception, it was safer to leave the exception large than to lose the benefit of voluntary contributions. The next improvement in this bill was the restoration of certain powers to the commissioners. The bill of last year passed through that House without an attempt to refuse those powers; but it had come down from the other House with very grievous mutilations, and with the power only of calling those guilty of malversation before them, and trusting to them for a fair and candid account of their own misconduct. The commissioners had now the power of compelling them to attend. They had not the power of conviction, but they had the power of instituting process. It were better if they had the power of imposing penalty, and the vice-chancellor, the master of the rolls, or the chief baron of exchequer were to fix the amount. Another restored power was, the number of the quorum. Instead of two, there could now be five boards, the number of commissioners being increased from 8 to 10. The last power he would mention was that of instituting process in a court of equity. This was a great improvement, since a construction was given to the statute in chancery, that no process could be instituted there against trustees whose title came in question. The exception of visited charities was of less importance, as the commissioners had constructed the act to authorize inquiry into all charities where the visitor was a trustee. He bowed to that authority, but if he had not seen that construction upon it, he could have entertained no hopes to that extent. But his objection still remained to the exception of visited charities, which he would state on bringing up the report. He was sanguine that he could persuade the House to remove the exception; but if he could not, he hoped to have a clause adopted to put the visitatorial power in motion, or to ascertain that it was in motion. He would propose another clause to empower the commissioners to make orders in case of gross and palpable malversation, without leaving the remedy to the delays of chancery.

Mr. *Bathurst* supported the bill, and recommended that they should rather think of conciliation, than revert to any differences with any other body.

Mr. *M. A. Taylor* contended, that if many of the charities which had special visitors were shut out of the operation of the commission, not half the good would be done by the bill that might be done; and instanced the case of Sherborne hospital, in support of his opinion; the master of which hospital, Dr. Bell, derived, on the average, nearly 1,700*l.* a year, although he was scarcely ever resident there. He remembered a school of which the late excellent archbishop of Canterbury was visitor, the master of which had actually turned the school room into a billiard room.

After some further discussion, the blanks were filled up, and the House resumed.

## HOUSE OF LORDS.

### *Tuesday, June* 15.

Gold and Silver Coinage—Mint Regulations.] The Earl of *Lauderdale* rose, in pursuance of the order of the day, for the consideration of his motion for obtaining the opinion of the judges on the subjects of legal tender and standard of value. His lordship moved, that the acts of the 21st of Geo. 2nd, the 13th of Geo. 3rd, ch. 72, and other acts relative to the coinage, be read; which being done' he observed, that he had been induced to call for the opinion of the judges in consequence of what had passed in the late discussion respecting the Mint regulations. It had been argued, that as it was declared in a report of the privy council that silver coin had been depreciated 25 per cent from the year 1774 to 1779, the Mint regulations by which silver was depreciated only 9½ per cent could have no injurious effect. He was, however, decidedly of opinion, that according to the existing laws the depreciated silver was not from 1774 to 1779 a legal tender by tale to any amount whatever. It was material that this question should be decided, before their lordships came to the consideration of the bill now on their table; for if his view of the state of the coinage was correct, that bill could have no effect. There was a wide difference between circulation by sufferance, and circulation by law. Depreciated silver might serve as counters if it circulated by sufferance; but all money of a just value would disappear if the circulation of such pieces were enforced by law. The noble lord knew that about 33,000,000*l.* of the coin had, during the present reign disappeared. What was the cause of this? Was it any thing else than a depreciated currency? On this ground he urged the necessity of ascertaining what had been the legal tender from the year 1774 to 1779. He wished it to be determined by the authority of the judges, whether, during that period, silver, 25 per cent depreciated, was a legal tender for any sum. His reason for adopting the measure of the proposition was, that by the laws which existed previous to 1774, namely, the 9th and 10th of king William, it was expressly declared, that silver was not a legal tender if it had sustained any greater loss than that arising from reasonable wear. His lordship then quoted the preamble of the act of the 13th of the king, chap. 42, which recites the acts of the 9th and 10th of king William, and entered into a detailed argument, to show that the law as established by the latter acts remained in force until 1779. The act of 1774 had expired, and was repeatedly renewed, from year to year until 1783. As the acts of king William had, during the period referred to, been the sole regulators of the currency, he was entitled to assume upon his first question, that silver coinage depreciated 25 per cent was not a legal tender to the extent of 25*l.* or for any other sum. With regard to the second question, its object was, to ascertain whether gold or silver was the legal standard of value. He might have no doubt of the import of the act of parliament himself, but what was understood by the judges to be the law on this subject ought to be known. Upon that question the effect of the bill on the table in a great measure depended. A clause in the act of the 56th of the king provided, that the pieces of coin should pass for what their denomination imported; but the system of coinage introduced under that act made a material difference between the silver and gold coin of the country. Since sir Isaac Newton's time, gold had been coined in the proportion of one to fifteen of silver. Instead of depreciating, gold had since that time become more valuable in comparison to silver. It was the opinion of many well-informed persons, that gold had risen to the proportion of one to 15½ of silver in the market value. The Mint regulations, however, reduced it to the proportion of 1 to 14 and a fraction. Now, he wished to know what was the effect of this change as to the standard of value? Was the silver raised to the gold, or the gold depressed to the silver? His lordship referred to several proclamations issued respecting the new coinage, and inferred from them, that the gold had been depressed to a level with the silver. He read the proclamation of March 1st 1817, on the issue of the new gold coin, declaring that they should be called sovereigns, or 20*s.*-pieces and argued that it was impossible to affix any other meaning to that proclamation, than that the sovereigns were to pass each for 20*s.* lawful money of the realm. If that was not the case, the sovereigns were tied down to the value of a depreciated coin. He might be told, that this depreciated silver was only a legal tender to the value of 40*s.*; but whatever was the extent of the legal tender, the two metals could not circulate together with a difference of 9½ per cent between them. Gold might be said to be the standard of value, which doubtless was the object of the act of parliament; but, in fact silver was the ultimate standard, for it was made the regulator of the gold. It would be well, therefore, if the language of the bill their lordships had to consider were in this respect altered, for whenever the price of gold was referred to, whether it was to be paid at the rate of 4*l.* 1*s.* or 3*l.* 17*s.* 6*d.*, silver was, by the very terms made the measure of value. After referring to an article as a measure of value, how could it be asserted that the thing measured was the standard, and not the thing measuring? In short the language of all the acts of parliament implied that silver was the standard of value. The second question which he wished to propose to the judges, however, was whether under the act of the 56th of the king, chap. 68, the gold and silver coin were equalized by raising the value of the silver coin, or lowering the value of the gold. His lordship concluded by moving, "That the Judges be called upon to give their Opinion on the questions he had stated."

The Earl of *Liverpool* did not think it fitting or proper to require the attendance of the judges on the questions propounded by the noble lord. When the weighty and important duties which the judges had to discharge, and the manner in which their time was occupied, were considered, their lordships must be convinced, that it would not be right to throw any additional burthen upon them, except in a case of great necessity. It was for their lordships to consider whether a case was made out which would justify the adoption of the noble earl's proposition. In his opinion no sufficient ground was laid for the motion, because it did not appear that any result which such a proceeding might have would facilitate the decision of their lordships on the measure now before the House. Whether the act of the 56th of the king, and the proclamation respecting the coinage, had or had not been drawn up in an inaccurate and unworkmanlike manner, he should not discuss. The object of the act, and the proclamations had been obtained. There was not an individual in the city of London who had any doubt on the subject. He did not mean that there was not a theoretical difference of opinion as to what ought to be the standard of value. Some thought that gold ought to be the standard, others silver; but every one knew what the practical effect of the law was. With respect to the first question, his own opinion was very different from that of the noble lord. He believed that no diminution of weight from wear affected the legality of the tender. Under the act of the 13th of the king, which was renewed and continued to 1797, their lordships were aware that silver had been a legal tender to the amount of 25*l.* In its depreciated state, then, silver had circulated with the gold, without driving it out. In the same manner, copper, on which there was a seignorage, had circulated without driving out any other coin. The noble lord could produce no instance of any other country on which the coinage was established on the system on which it stood in this. He had, therefore no point of comparison. One great advantage of the present system was, that it tended to counteract the effect of a fluctuating price of silver. The principle of the present system was, that one metal should be taken as the standard of value. The other coins had only reference to the gold as a means of expressing its fractional parts. The silver might with reference to the gold, be leather coin or counters. A sufficient check against any injurious effects from the state of the silver coinage existed in its limitation. It could only be coined by permission at the Mint, and was in its nature merely a set of counters provided by the government. The law by which not more than 40*s.* was a legal tender was a farther guard against any pernicious effect. When the investigation in which their lordships had been lately engaged began, the price of gold was 4*l.* 5*s.* per ounce. It was now 3*l.* 19*s.* If the silver coin had the effect of driving the gold out of the country, how did it happen that it did not keep it out? From the fall of the price, it appeared that it had returned, in spite of the theory of the noble lord. The gold followed the course of exchange, which was effected by the state of the currency, in combination with the operations of trade. Upon the whole he did not see that any information calculated to assist their lordships in their deliberations could be obtained from the judges, and he should therefore give his negative to the motion.

The question was put and negatived.

## HOUSE OF COMMONS.

*Tuesday, June* 15.

Complaint against "The Times" Newspaper.] On the motion of Mr. Wynn, the House proceeded to the order of the day for the attendance of C. Bell; and C. Bell being called in accordingly, the paper, intituled, "The Times," dated 9th June 1819, was shown to him, when he stated that he was the printer and publisher of the said paper, and that he had received the paragraph complained of from John Payne Collier, and then he withdrew.

Mr. Collier was then called in and examined.

Mr. *Speaker.*—Look at that paper, and say whether it is a correct copy of the manuscript which was given to the paper on that evening?—I have no doubt that it is a correct one, as far as printing goes.

Mr. *Speaker.*—Who wrote that?—I did.

Were you the short-hand writer who took down the notes on that occasion?—I was. I have been for some years in the habit of reporting the proceedings of this House, and have always endeavoured to be as accurate in their representation as I possibly could; but owing to the confusion and disorder which sometimes prevail in the gallery, it is not always possible to give with accuracy what occurs. With respect to that part of the debate of which complaint is now made from the number of persons passing and re-passing the seat which I occupied, it was out of my power to follow the hon. member (Mr. Hume) regularly through his observations. Anxious to collect what had occurred during the confusion to which I have alluded, I asked a stranger who was placed before me, and from him I received, if not in exact words, at least the point which I afterwards embodied in my report. As to any intention of misrepresenting what occurred, I totally disclaim it. This is the first time during the 10 years I have been engaged in reporting, that any objection has been made against any report that came from my hands.

Mr. *Bathurst.*—Are the papers to which you have just alluded a transcript from your notes?—They are from my short-hand notes: that is to say, as far as the confusion I have alluded to would permit.—Have you the original notes from which you copied?—I have not; and though I have used every diligence in looking for them this morning, I have not been able to find them; the reason, perhaps, will be explained by the circumstance, that being occupied in other pursuits, I often write upon the slips which I have used in taking my short-hand notes.

Do you take a speech of that length on slips?—I take my notes on slips of paper made up into the form of a book.

Mr. *C. Harvey.*—Did you take your notes so on that night?—I did: the usual practice is, with gentlemen who take notes, to write from them on small slips of paper, which, the moment they are finished, are put into the hands of the printer. The House will perceive, therefore, that there was no time left for deliberation, except so far as one can deliberate while he is occupied in writing.

Mr. *Bathurst* wished to know whether the parenthesis, mentioning the cheers, was inserted in the copy?—It was.—Was the name of Mr. Canning mentioned in the witness's copy?—It was.—Was it from the stranger in the gallery that the witness received information as to the name? —The stranger mentioned it; but I had a strong feeling that allusion was made to Mr. Canning by the hon. member, and I then noticed it. In allusion to a smile from the other side, I think I recollect the hon. member having said, "ministers may laugh, but let them look at the other side of the picture," and I followed up the sentence with the information supplied by the stranger. I have since seen the hon. member's own account of that part of his speech, and that is the only circumstance which induces me to think that I was mistaken.

Mr. *Mansfield.*—Had you reason to think that Mr. Canning was then in his place?—I had; I had reason to believe that he was, from the frequent allusions which, in my opinion, were made to him during the whole of the hon. member's speech. I hope the House will now allow me to express my sincere, but manly contrition, for having in misrepresenting, however unintentionally, any thing that occurred, committed this error. I had no intention but to give the most faithful account in my power.—Is witness the only reporter on The Times?—No; there are 12 or 13 besides myself; they each take a short time in a debate; and here it may be necessary to inform the House, that in addition to the inconvenience to which I have before alluded, from want of proper accommodation, there often arises another, from the circumstance of one gentleman going on in the middle of a speech. Allusions are often made to what occurred before the individual gets into the gallery, and which, even when he hears, he cannot always understand. It often occurs, even among honourable members, that a misunderstanding takes place of what has occurred in debate; and of course the difficulty of hearing must be greater to those who write.—The witness was then ordered to withdraw.

Mr. *Wynn* said, he had heard nothing which could make him alter the opinion he had before formed, that the publication in question could not be the result of a mistake. Nothing had been said which could make him believe that it was any thing but a gross and libellous publication. He maintained that even if, in the course of debate, reflections were made by one member, alluding to another, no printer would be justified in laying them before the public. For this he had the authority of Mr. Fox, who in 1788 held, that though members might be justified, in the course of debate, in using particular language towards each other, yet a printer would not be justified in sending it forth to the public; and he could imagine cases where such conduct would be a high breach of the privileges of the House. It seemed to him (Mr. W.) that though the publication of what passed in the House was tolerated by connivance, yet that, when given, the parties so giving it to the public were bound to give it correctly. The House could not take into consideration the great dispatch with which those debates were given in overlooking any misrepresentation which they might convey; for though he would admit the advantage of their going forth to the world, yet he thought it better they should be delayed a little, than come forth in an incorrect state, and without examination. The hon. member concluded by moving, "That the said paragraph is a scandalous misrepresentation of the debates and proceedings of this House, a calumnious libel on the character of one of its members, and an aggravated breach of its privileges."

Mr. *Brougham* said, he did not rise for the purpose of opposing the motion, as far as the breach of privilege was concerned; but he would reserve his opinion upon any measure with which the hon. member might be disposed to follow it up; for, undoubtedly, he should bear in mind the evidence in extenuation which had been given. It was certain, that if the resolution now proposed were carried, the matter could not rest there. It was certain that if the House agreed to this resolution, they should go further; and perhaps before it was put, it would be best to consider, whether, under all the circumstances of extenuation which the House had heard, they would take a step which would bind them, as undoubtedly this severe censure would, to another. Upon the evidence which had been now received, he doubted the propriety of passing a resolution, the consequence of which must be, to commit the person who had offended. If after this resolution they could stop short at a reprimand, his objection to it would be removed. He was not indisposed to concur with the terms of it; but there was a difficulty which was presented by the strength of them, and which might perhaps be got over by adding words to the effect, that in consideration of the circumstances which had been stated, the House was induced to remain satisfied with a reprimand. Were it not for the circumstances of extenuation which had been brought to light, he should have joined in voting for the severest punishment which it was in their power to inflict.

Mr. *Bathurst* thought the hon. and learned gentleman right in his construction of the rule of proceeding, that the punishment should be commensurate with the terms of the resolution. The course proposed appeared to him to be that pointed out by the nature of the case, although the extent of the punishment might be matter of subsequent deliberation. Adverting to the evidence, some of the circumstances stated appeared to be somewhat singularly co-incident—that the passage in question should have been so imperfectly heard; that the witness should have adopted the rest on the representation of a mere stranger; that it should have been put so offensively; and that the name, with the addition of cheers, should have been inserted in a parenthesis. He thought that, under all these circumstances, the House could not do less than adopt the resolution. Another unfortunate incident was, the loss of the witness's notes, which it was extremely desirable to have had produced.

Mr. *Philips* observed, that he regarded the defence which had been made by the gentleman who had withdrawn from the bar as a most ingenuous, rather than as that ingenious one which the right hon. gentleman seemed to consider it. It had about it every natural indication of sincerity; and the statement which had been made bore with it all the appearance of truth. For himself he might observe, that having frequently observed the right hon. gentleman (Canning) prone to associate ludicrous images with subjects of distress [cries of No, no!] if, then, he was mistaken on this point, it was not surprising that the witness should also have been deceived. His whole deportment at the bar established the fact, that the misrepresentation in question had originated in error, and had not sprung from any motive in the least savouring of malignity. He himself was persuaded, that there had been no intention to misrepresent; and with this persuasion on his mind, he could not, as an honest man, vote that the paper was a scandalous and calumnious libel.

Lord *Castlereagh* said, that if the proper course of proceeding had not been before evident, the speech of the hon. gentleman was calculated to guide them to it. The hon. gentleman had made one more of those attempts that had of late been so frequent, to impute to his right hon. friend conduct and feelings of which he was incapable. If such imputations were followed up in the daily prints, he would leave it to the House to judge what must become of the privileges of parliament. He must deny that the question of intention was one to which the House was at all bound to advert; it was into the truth of the averments alone they ought to inquire; for it was obviously impossible to trace the actual motive operating upon a reporter's mind. If they found that the character and qualities ascribed to it did belong to the paper in question—that it did contain a false and calumnious account of what had taken place within the House; then, however the manner of the individual might have impressed them in his favour, it was their duty to mark their sense of it in distinct and unequivocal terms. With regard to the circumstance of the offensive passage being adopted on the suggestion of a stranger, he was not disposed to consider that this would furnish any excuse, even if the account were true beyond all doubt. The hon. and learned gentleman had admitted that he was ready to affirm the resolution, and was merely desirous that the consequences should not be pushed too far. But how would the House stand, if, after a resolution had been passed, declaring that a gross libel had been published on their proceedings, they should be satisfied with a mere reprimand, when the defence that induced them thus to mitigate their judgment could not appear on their Journals? After a commitment, the circumstances of extenuation or explanation might be set forth in a petition, and an opportunity be thus afforded for recording the grounds of that lenient consideration which the House might be disposed to entertain. But if they had any regard for their own dignity or privileges, and unless they were willing to leave them entirely at the mercy of the reporters, they would, without bearing hard on the individual who was the subject of animadversion, and who ought not to have reported any matter on the idle suggestion of a stranger, deal with this case on public grounds alone. It was not a case which ought to be tampered with; and whether the offence proceeded from inconsiderateness, or any other cause, that was a matter to be hereafter pleaded; but he felt himself bound to say, in the present state of the proceeding, the House could not, consistently with its privileges or dignity, receive any communication from the individual who had been examined, until he should be in custody.

Mr. *Philips* said, he had not meant to justify the publication, but to object to any terms in the resolution that should express or imply an intention on the part of the author to misrepresent. In his other observations he had been influenced by no wish to reflect on the right hon. gentleman.

Mr. *Abercromby* said, he had viewed the publication as one of a peculiarly aggravated nature: it contained an untrue account of what had been said, and was accompanied by a sort of scenic description which heightened its effect. He should vote for the resolution; but he thought the House would act wisely, in reserving to itself the consideration of the extent of punishment. But it was important that the grounds of their judgment, whatever it might be, should appear upon their Journals. The manner of the witness had made a general prepossession in his favour, and he could almost wish that the language of the resolution was less strong. The witness had exposed himself to severe reproach, but his conduct that day at the bar recommended him to their most favourable consideration. He had incurred much blame in adopting the representation of a stranger, and this was in itself a great offence. At the same time, the manner in which the mis-statement was accounted for, satisfied him of its sincerity. With regard to the character of the newspaper in question, he thought it much improved upon the judgment which he was the day before inclined to form of it. It clearly appeared that the report had passed through no intermediate hands, but without being seen by any other person, had passed with the utmost rapidity from the writer to the publisher. It had been truly added, that there was no time for deliberation; and it was certainly difficult to believe that the witness could have come into the gallery with malice prepense, or a determination to publish something offensive to the right hon. gentleman. He conceived, therefore, that whilst some punishment was necessary, the House would do itself honour in rendering it as mild and of as short duration as possible.

Lord *Compton* observed, that in 1812 a gross misrepresentation had been made of a statement respecting a piece of very remarkable evidence before a committee, which had been submitted by the hon. member for Winchelsea. The evidence was of such a nature that it had been struck out of the minutes of the committee, but had been read in the House by the hon. member. It was represented in the newspaper that this evidence had been given by another hon. member; and although the hon. member for Sandwich declared that, living in the neighbourhood of a manufacturing district, his life might be endangered by its publication, the editor thought proper to publish it, and notwithstanding this double falsehood, had not been punished by the House. He thought this a much stronger case than the present, and as the author of that publication had been suffered to escape, it would not be fair to adopt strong measures in a case in which the error was confessed, and the cause of it explained.

Mr. *Protheroe* was sure that the House would appreciate the delicacy of those feelings which had induced the right hon. gentleman to absent himself on this occasion. He was also sure that if he had been present he would have been deeply impressed by the explanation that had been given. That right hon. gentleman had observed, that if any member could lay his hand upon his heart, and state that he did not believe the paragraph in question to have originated in motives of malignity, he would take no further notice of the business. He believed that many hon. members, after the evidence which they had heard, were prepared to express their belief that there had been no malignity. There was one point to which he wished for a moment to call their attention; it related to a smile, which had been described as pervading the Treasury bench. In the statement of the hon. gentleman himself (Mr. Hume) all reference to this was omitted; but he understood from several hon. members then present, that such allusions had been made by him. He mentioned this, because it evidently took away from the supposed circumstantiality of the mis-statement. He was anxious that the terms of the resolution should be such as would carry with them the general feeling of the House, and it appeared to him that those now proposed were too strong and went beyond that feeling. It might be true, that the House could not investigate the question of intention when the maintenance of its privileges became necessary; but it might at least be admitted as a consideration in determining the measure of punishment, and he himself should vote for the most lenient.

Mr. *Hutchinson* said, the last two speeches would be sufficient to guide his vote, if it had not been previously determined on the same side. He, for one, was ready without hesitation to state upon his honour that he believed the witness had not been influenced by the malignant feeling, or desire, to insult the right hon. gentleman. He did not mean to justify the report, and was persuaded the day before that it was a calumnious libel. The hon. mover would hardly have offered so strong a resolution to the House, if he had drawn it up after he had heard what had been stated at the bar. Anxious as he was to support the privileges of the House, he should be sorry to do so by an act of oppression. He should willingly vote that the publication was an unjustifiable breach of privilege; but as he could not keep intention out of his view, and as an unqualified apology had been made, he could not join in any vote, the almost necessary consequence of which would be a commitment to Newgate.

Mr. *Brand* observed, that if the present motion had been to be decided merely upon what had passed on the preceding day, he should have willingly acquiesced in it; but after the explanations which had been given, he did not apprehend that any member, viewing the subject as qualified by those explanations, could avoid coming to a different conclusion. A clear statement, a manly apology, had been made. He could not exclude from his consideration the point of intention, even although the consequence might be, that the reasons of this proceeding would not appear upon their Journals. It would, he thought, be better for the House, and for the public, if some further accommodation were furnished to the persons, who, notwithstanding the difficulties in which they were placed, already performed with no small diligence and ability the task of communicating to the country what was said and done in parliament. Whatever additional advantages they enjoyed would be accompanied by a proportionate responsibility.

Mr. *Wynn* said, that the first part of his resolution was, that the words were a scandalous misrepresentation of the debates and proceedings of that House. Was there any man who could read an account of what was said to have passed, as reported in that paper, and contrast it with the account of what did really pass, as given by the hon. member, and not say that this was a most gross and scandalous misrepresentation? He referred particularly to that part about which he had heard no explanation—he meant the "continued cheers." Now, that was a circumstance which the reporter could not possibly mistake. The second part of the resolution was, that this was a calumnious libel on one of the members of that House. Now, if the passage did not amount to a calumnious libel on the right hon. gentleman, he did not know what was a calumnious libel. The concluding allegation was, that this was an aggravated breach of privilege. Now, when it was considered that the taking any report of their proceedings was a breach of privilege, he did not think that to the present case he could apply a slighter expression.—The resolution was agreed to.

Mr. *Wynn* said it now became his duty to follow up the measure which the House had just agreed to. It was necessary that some punishment should be inflicted upon the individual who had been guilty of so great a breach of privilege. At the same time, he wished to take into consideration every circumstance which could be taken to be in extenuation. He did not repent their having listened to those observations which they had just heard, because he did think this that reasonable course, which not mercy alone but justice called for. When an individual came before them to speak to a subject of this nature, he should be permitted to state any circumstance which could go in extenuation. He well knew that it was impossible to give the exact expression of any man, but he could not conceive how it was possible for such a perversion of what really passed as this was to have taken place. The notice of "cheers," he certainly considered as giving a character and colour to these proceedings. It might be material here to refer to the period of the commencement of the French revolution; when the legislative assembly admitted persons indiscriminately into their gallery, to give reports of their proceedings. They were given with so many political partialities, and in so garbled and inaccurate a manner, that in order to guard against this growing abuse, it became necessary for the principal members to publish newspapers of their own, with reports of their several speeches. He had certainly experienced surprise at the general ability and accuracy with which the debates of parliament were given; especially considering the very short time in which they had to appear. He did not, however, see that their being published at 9 or 10 in the morning, instead of 3 in the afternoon, for instance, was a sufficient advantage to justify or outweigh an inaccuracy or misrepresentation of this kind. It was necessary that the editors and reporters of those papers which gave the debates, should feel their responsibility, and know that the House would visit on their heads those breaches of privilege which would not be suffered in other quarters. He thought it one of the greatest advantages resulting from the enjoyment of these privileges, that the House had the immediate means of punishment, in such cases, within its power; and that, consequently, it was enabled to inflict a more lenient one, than if it were compelled to resort to a court of justice. He was very willing to allow, that every circumstance of extenuation which could be, ought to be admitted, in regard to the person charged and as to the punishment, he was of opinion that they would be quite justified in giving a very short term. But, considering the nature of the offence charged, he thought it necessary to move that Mr. Collier be committed to Newgate."

Mr. *Gurney* said, that with respect to what had fallen from the hon. gentleman about the "cheers" upon which so much had been observed, he was entering the House at the time alluded to, and was on the floor, when he certainly did hear several cheers from those benches. The hon. member said, he was of opinion that this misrepresentation originated in mistake. He was the more inclined to think so, from the manner in which it had been just explained, and the great appearance of sincerity on the witness's part.

Mr. *Brougham* expressed his conviction that there could hardly be but one sentiment upon the story told by the person in question, as to the origin of the gross mistake. Now, he thought that the House in general believed that story, no member having put any questions which evinced a doubt about it. Any person hearing the passage in question read, must have been disposed to have concluded that it was not only an unfounded misrepresentation, but a wilful one; that it was dictated by malignant and personal feelings. He was willing to believe the disclaimer which had met the charge of personal feeling; but with respect to the culpable negligence with which the reporter stood charged, the House was bound to take into its consideration what had been the usual course in these cases. The instance alluded to by the noble lord went strikingly to show that persons in the situation of reporters might be well excused for misrepresenting the proceedings of the House, and believing that it would not be visited by its interference. He would also remind the House of a speech by the noble member for York. In one part of a particular paper there was a very correct report of it; but in another part, a most inaccurate report of the same speech, copied from another print, was made the vehicle of those slanders, which were heaped upon himself, the humble individual who now addressed them. But instances of this kind were numerous. No longer ago than yesterday a speech of his hon. and learned friend (sir James Mackintosh) which the whole House had heard with admiration, was most grossly misrepresented in the paper to which he alluded; and that, not after a short time, not in a hurry, but after several days, and in conjunction with several other articles of the same indecent character. This speech was declared to be a most shameless and impudent attack on Ferdinand 7th. It was for hon. gentlemen to determine whether the reporters, partly by the necessities of their situation and partly by the lenity shown to them by the House on former occasions, had not been misled. He did not say this in any view of opposing the motion; but he thought it should make them cautious how they meted out punishment for an offence which they might in some degree be considered to have encouraged. Taking all the circumstances of extenuation into consideration, he hoped the House would abstain from committing this person, but rest satisfied with reprimanding him; more especially as, in this case, they had already heard all the palliatory circumstances. If, however, this more lenient course was not the general sense of the House, so clearly was he of opinion that they ought to be unanimous in dealing with questions of privilege; so well convinced was he that they ought to adopt a course likely to preserve their privileges, and to visit severely any invasion on the part of the reporters, of their great and constitutional privileges, that he would be the last man in the House to divide it upon the motion of the hon. gentleman. If the committal of this individual was finally resolved on, as it appeared to be, he should recommend the House to rest satisfied with committing him to the custody of the serjeant at arms instead of to Newgate, and with making the term as short as possible.

Mr. *Bankes* was afraid there was no precedent in a case of this kind, of a committal to the serjeant at arms instead of to Newgate. In this case, he had no wish to press an unusual severity of punishment; he was anxious only that they should assert their own privileges, and administer justice tempered with mercy.

Mr. *J. H. Smith* said, there was a precedent in 1805, when Mr. Peter Stuart, of "The Oracle" newspaper, was, for a libel, committed to the custody of the serjeant at arms. He recommended that a similar course should be adopted on the present occasion. He thought that the matter urged in extenuation entitled the individual to all the lenity they could consistently afford.

Mr. *Wynn* said, that the old place of committal was to the Gate-house, but in later times it was to Newgate; and in selecting that prison, perhaps they would be consulting the convenience of the individual, and avoiding for him the expense which being in the custody of the serjeant at arms would induce. He had no objection to frame his motion either way.

Sir *J. Mackintosh* entirely concurred in the terms which had been applied to this libel, but from the statement made by the reporter at the bar, he was fully convinced the error (great as it was) was unintentional. He fully acquitted the individual of wilful intention, and feeling this, he could not but vote for the lighter punishment. The appearance of talent and education which the witness at the bar had shown, would, he was persuaded, induce the House to select that sort of punishment which would convey the least feeling of disgrace. As to attacks upon himself from any part of the public press, he should ever treat them with indifference—in such a case as that which was represented (for he had not seen it) to have so calumniously reflected upon him with contempt. He also felt himself bound to express his opinion in favour of the generally improved character of the public press, for whatever political bias particular newspapers might have and might exercise respecting the several parties to which they were attached, he never recollected a period in which their columns exhibited more general decorum, more general ability, more exemplary abstinence from attacks upon private life, and from those disgraceful invasions of the privacy of domestic character which were once so much indulged in. This great and valuable improvement in the public press, had arisen from the superior talents, judgment, and character of the proprietors, and the improved advantages and better condition, in every respect, of the gentlemen employed under them. On this account alone, even exclusive of the demeanour of the gentleman whom they had just heard at their bar, he should strongly urge the propriety of abstaining from any degrading punishment the effect of which must be to have a tendency to take away that sense of self respect and independent character which it was so essential to cherish in persons of that description.

Mr. *W. Smith* said, he knew the young gentleman personally, and could assure the House that he was a person of respectable connexions, of good education, and of excellent behaviour. There could, therefore, be no doubt that he would prefer the punishment of being taken into the custody of the serjeant-at arms to the degradation of being committed to Newgate.

Mr. *Williams* thought himself bound to state, that on the evening of the debate he had sat behind the hon. member (Mr. Hume), and had a distinct recollection of the following expression:—"The right hon. gentleman, and the hon. gentlemen around him, may smile." Soon after this there certainly were several cheers, although, no doubt, a few sentences intervened, which were lost in the gallery.

Mr. *Bennet* hoped the hon. gentleman

would make it a motion for commitment to the custody of the serjeant-at-arms, because he was convinced that to be committed to Newgate would, by a person of education and refined feelings, be felt as the greatest degradation. While on the subject of misrepresentations in the public prints, he had to state, that he then held in his hand a paragraph which contained the most licentious abuse of that House. He did not know what course they would pursue respecting it, but in his opinion it affected the character of the whole House.

The hon. member then read a paragraph from the Morning Post of the 27th of May, reflecting in coarse terms on the conduct of the Opposition.

Mr. *Protheroe* also preferred the moderate punishment. To men of education and literary talents, a punishment of the extreme kind would be keenly felt.

Mr. *Wynn* said, he did not feel the least difficulty in acceding to the general wish of the House. He was, therefore, ready to alter the words of his motion, and he trusted sufficient would have been done to warn the daily press against a repetition of the offence which brought the individual in question under the displeasure of the House.

It was then ordered, *nem. con.* "That John Payne Collier, for his said offence, be committed to the custody of the serjeant at arms."

Military Occupation of Parga.] Lord *Castlereagh*, in bringing up certain papers relative to the cession of Parga, said, he wished to undeceive the House as to the part which our government had acted: we had never delivered Parga up to the Turks; all we agreed to in the treaty was, to withdraw our troops from the town, and leave the inhabitants to themselves. The only object the Parguinotes had, was, that the British government should make the best terms which it could for them. No authority had been given to any British officer to hold out to these people the prospect that this government would take them under its protection. No officer had given them any promise by which the good faith of the British government could be compromised; for the terms of our treaty had been fulfilled by the withdrawing of our troops. In the Ionian islands they could be protected by our government, and there they would be treated with every attention to their interests by sir T. Maitland, who had always conducted himself with distinguished ability and humanity.

Sir *C. Monk* was ready to admit, that all the treaties between Russia and Turkey, and those between France and this country, particularly the treaty of Amiens, had been revived; but still he thought the case stood in favour of the Parguinotes—in favour of our defending them. If the treaty of 1800 was revived, and we, in terms of it, were obliged to deliver up Parga to the fate to which that treaty consigned it,—the noble lord entirely overlooked the power which the inhabitants retained in that treaty to provide for themselves. If we revived the treaty in favour of one party, we were surely bound to enforce the provisions which it contained in favour of the other. By a supplementary treaty, the Ottoman Porte agreed to the independence of the Parguinotes, on condition of their allowing a Turkish superintendent to reside in their town; but that arrangement had been overthrown by the unfortunate state of things between Russia and Turkey. Let those, therefore, who were in a beneficial state before the treaty was broken, be restored to their former condition, when the treaty was again recognized. The Parguinotes, in virtue of former treaties, had a claim on Turkey. The effects of the arrangement to which the noble lord had agreed, were, that he had forfeited the good will of Greece, and given up the key to supplies from the Albanian continent. In connexion with this question, we ought to consider the influence which France, Russia, and Austria, were gaining in the divan. Every one knew that the Turkish trade was of great advantage to this country; and if we had cultivated the good will of the Grecian islands which we took under our protection, we should have had an additional security and facility for that trade. At present, however, we had only laid ourselves under the difficulty of protecting islands that were not able to maintain themselves. He should have entered into the question at greater length, but for the calamitous news which had reached this country, and which rendered any thing he might say useless.

Mr. *Maxwell* thought that the Parguinotes had a strong claim on our protection.

Lord *Compton* said, it was natural there should be a strong feeling in favour of men circumstanced as the Parguinotes were. There was one part of the subject on which he could not help putting a question to the noble lord—he meant with regard to the sufficiency of the sum proposed as an indemnity to that people for the loss of their property and the surrender of their territory. The sum granted was only 150,000*l.*, which, according to the estimate of their property, was not by any means adequate. There ought to be some inquiry into this subject. Their property had been estimated some time ago at 500,000*l.*

Lord *Castlereagh* said, that the valuation had been made by commissioners appointed by both parties. The estimate of 500,000*l.* was *ex parte*, and highly exaggerated. He could only add, that every thing which could be done for that people would be done; that great kindness was entertained towards them; that they would never be lost sight of, and that they would be treated like those American loyalists who had fought our battles, and whose interests, when persecuted on account of their attachment to us, we had protected.

Sir *James Mackintosh* professed himself desirous of not troubling the House long, though he owed it to himself, and the consistency of his own conduct, to state his reasons for adhering to his former opinions, notwithstanding the observations and explanations with which the noble lord had prefaced his motion. He would wave the question of policy which this cession involved; he would wave all consideration of the treatment which this people would receive in their removal, as he would hold it to be a libel on the character of the gallant officer under whose conduct it was to take place (whom he knew well to be a humane and honourable man), and a libel on the character of the country, to doubt for a moment that the utmost humanity and indulgence would not be shown them in the deplorable calamity which they were doomed to endure. Two questions arose which it was more particularly his object to discuss: 1. whether the Ottoman Porte had any right by treaty to the cession of Parga; and 2d, whether we had treated the inhabitants of that place, in ceding their territory to the Turks, in the same manner and with the same favour as the inhabitants of those places that were ceded to each other by treaties between civilized states? To the last of these questions he would first advert. What, then, was the difference between a cession made in Europe or America, and that made of Parga to the Ottoman Porte? In the former the transfer of a small estate from one master to another was slightly felt in comparison of the change that was effected in the present treaty. They all nearly lived under the same law; they enjoyed the same state of civilization; they held one form of a common religion. Take the case of a West India island, for instance, and it would be found that its transfer from one state to another created little alarm, and produced a comparatively trifling change of security or property. The number of persons who in consequence expatriated themselves was extremely small. The case of the American loyalists was not at all in point; they were individuals who had been exiled from their country by the persecution of their enemies for their attachment to us, and we had indemnified them for their losses. But the people of Parga were to be driven from their country, and an attempt was to be made to compensate them for their country. Where did we ever hear before of a whole people removing from their homes because their territory had come under the dominion of another state? But this was to take place in the case of Parga. Out of 3,500 persons, of which the population consisted, only 30 or 40 of the most worthless were to remain behind. This horrid treatment of a whole community—this tearing up by the roots of a nation, and casting of it on a different soil, could not be compared with the exile of a few individuals banished on account of their political conduct. The American loyalists had received compensation for their sufferings; but what indemnity could be given to a people for the loss of their homes? Was it thus that Britons felt? Were we to tell these people, " You are to be paid for your olive trees, you are to be paid for the stones, and bricks, and mortar of your houses, and you are to consider yourselves as then sufficiently indemnified; you are to consider only as so much stone and mortar the homes which your fathers inhabited, the churches in which you and they performed worship, and which you have consecrated by shedding your blood in their defence? He would say nothing about the cession in this case; it was not an ordinary transfer to remove a whole people from their native land, and only to grant them indemnity for their olive trees and vineyards. Returning to the first question, what right the Ottoman Porte had to the cession of Parga? the hon. gentleman contended that it had none. The noble lord had said, that the treaty of 1800 was in force in 1815; but the treaty of Bucharest did not recite that treaty, which it ought to have done to keep it in force. Russia and Turkey had forfeited their rights before that time. Russia had received Parga under its protection, and had violated a treaty by ceding it to France in 1807. Turkey had also forfeited her rights, by destroying the three towns on the Albanian coast, which had been delivered up to her in the convention of 1800. The argument of the noble lord was singularly inconclusive. He had contended, that, because Parga was excluded from the Septinsular republic by the treaty of 1815, therefore it ought to be given up to the Porte; whereas, it seemed more natural to argue, that as that power had forfeited its rights, Parga ought to remain free. It became us to protect that people who had wrested their liberties and independence from the hands of their oppressors—who, by tearing down the French flag, had planted that on which they had unfortunately relied for protection—who had shown how they could defend themselves against their barbarous aggressors, and to whom now, as the reward of their fidelity to us, we were securing a more liberal alms, and a kinder treatment from an abominable barbarism [Hear, hear!].

Mr. *Bathurst* contended, that unless we had agreed to this treaty, we must have taken upon ourselves the military defence of Parga. The question was purely one of compassion and generosity. We had procured for them indemnity on leaving their homes, because they could not rely on their own means of self defence. If we were bound to maintain them in their territory, he was willing to allow that no pecuniary compensation would be adequate for the loss of it. But it ought to be proved that it belonged to the Ionian islands, and that therefore we were bound to protect its inhabitants; whereas the treaty of Paris had distinctly separated the two possessions. If they could rely upon their own resources, we might retire and leave them to defend themselves.

Lord *John Russell* said, that when we accepted the submission of the Parguinotes, it was upon condition that we would protect them. We had held it for upwards of three years, and it was too late to say to them, "You have been defended by the Venetians, you have been defended by the French, you have even defended yourselves, but we have discovered your position to be indefensible, and therefore we surrender you to the Turks." The plain fact was, that the treaty of 1815 referred only to one part of the treaty of 1800, and that reference merely for description. It afforded not a pretence for the cession. Their having received our troops into their city was as binding as a formal stipulation to protect them.

Ordered to lie on the table.

COMPLAINT AGAINST MR. FINNERTY.] The Speaker rose and informed the House, that a Stranger had been just reported to him as being in the custody of the Serjeant at Arms. The Serjeant was then called in, and reported, that in pursuance of the Sessional Order of the 21st of January, he had taken into custody a Stranger, who was in the gallery while the House was sitting, and that the said person is still in his custody.

The *Speaker* then informed the House of the circumstances of the case, and of offensive expressions having been used by the stranger to a messenger of the House.

William Gifford, a messenger of the House, was then called, and being examined, he stated, that, being in the side-gallery, he observed a person who was sitting in the front row of the Strangers' gallery taking notes of what was passing in the House; and he being desired by the said W. Gifford to desist, refused to do so, advanced his note-book higher than before, and said to W. Gifford, "Go to Hell." Upon this, W. G. went and reported this matter to the deputy Serjeant at Arms, and then returning to the side-gallery, he found that another person who had been taking notes had desisted, but the person now in custody was holding his book higher than before; and that the deputy serjeant, having received the directions of the Speaker, had then taken into custody this stranger—whose name was Peter Finnerty.

Mr. *Wynn* moved, that Peter Finnerty be brought to the bar in custody.

Mr. *Bankes* said, that from what they had heard, there appeared to be no circumstance of extenuation in this case as in the last: he suggested, therefore, whether it would not be as well to leave the individual in custody, until he acknowledged the contumacious course which, it seemed, he had pursued. If, however, there was any desire to give him an opportunity of refuting the accusation, he had no objection. It was possible that an accusation might be got up through misapprehension or mistake, which could be refuted by the party against whom it was brought. If, on being brought to the bar, the individual did not rebut or acknowledge his offence, and in the latter case throw himself on the mercy of the House, then, indeed, he thought it would be incumbent on the House to commit the individual to Newgate.

Mr. *Denman* was of opinion, that the proper course would be, to bring the individual to the bar to hear what he had to say in his justification.

Mr. Finnerty was then brought to the bar in custody, and, being examined, denied having used the expression imputed to him. He thought it impossible, from his general manners and habits, that he could have used such language; and in excuse of any warmth or contumacy which he might have manifested, alleged that the messenger had addressed him uncivilly, saying, "Finnerty, you are not to write there, put down your book:" that he had been a reporter of debates for twenty years, and had never before heard of the rule that the reporters were to confine themselves to the back row: that he and all the reporters were deeply interested in the business of the evening, and therefore he had advanced to the front row.

William Gifford was again called in, and being examined, he further stated, that the expression used by Mr. Finnerty was, "Go to hell;" that he addressed him civilly, saying, "Mr. Finnerty." The front row of the gallery was full, and two others were taking notes, who desisted when desired.—That P. F. did not retire to the back seat of the gallery till the order had been given to take him into custody; but believes he was not then aware of such order. That the invariable rule against taking notes in the front of the gallery was known to all the reporters. That to his knowledge, Mr. Finnerty had frequented the gallery as a reporter for 10 years; ever since W. G. had been employed at the House of Commons. That P. F. had never to his knowledge attempted to take notes before, sitting in the front row: that P. F. did not move when desired: that when W. G. returned from reporting the case to the serjeant, he found P. F. sitting in the same place, and he advanced his note-book more conspicuously than before. That he continued in the front row ten minutes after he was first ordered to desist.

John Pratt (another messenger of the House) was then called in, and being examined, he stated that he heard W. G. request P. F. to desist from taking notes; and heard the latter say in reply, "Go to hell," as audibly as J. P. was then speaking at the bar. Moreover, that P. F. did not desist, but conspicuously elevated his book. The witness was within two feet of W. G., about a yard and a half from P. F. at the time. That at last P. F. withdrew when ordered.

Charles Stein (another messenger of the House) was then called in, and being examined, stated, That he heard W. G. desire P. F. to desist from taking notes in the front row of the gallery, and he heard P. F. say, "Go to hell." That W. G. addressed him as "Mr. Finnerty." The witness does not know any of the strangers who sat near P. F.

Mr. *Wynn* said, that under the circumstances of the case, after the course which the prisoner at the bar had thought proper to adopt, in wholly denying a charge that had since been substantiated in evidence, he thought the House, in vindication of its own honour and in support of its privileges, was called on to take a severer course than was usual. He should therefore move, "That Peter Finnerty be committed to his majesty's gaol of Newgate."

Sir *J. Mackintosh* did not rise to oppose the proceeding the House might think proper to adopt, but to submit to its consideration a circumstance that had come to his knowledge since the individual was brought to the bar. The individual still persisted in asserting, that he was not conscious of having used the expression imputed to him, or any other offensive expression towards the messenger; but, if he were permitted to appear at the bar again, he was ready to express his sincere sorrow for having given offence, if, without any recollection, he had done so. He would submit to the House the propriety of giving the individual the opportunity of offering an apology to the House. [Cries of No!]. If his hon. friend would withdraw his motion, he would, unless the sense of the House was against him, move, "That Mr. Finnerty be again called to the bar."

Sir *C. Burrell* said, that many individuals in the gallery had heard the conversation, and had also heard what had been stated at the bar; and he was convinced that if they believed the stranger had been unjustly accused of using the offensive expression, they would have volunteered their evidence to free him from the charge. This circumstance established the fact, beyond the possibility of a doubt, that the stranger had used the offensive and disrespectful expression imputed to him.

Mr. *Pares* said, he was acquainted with two respectable gentlemen who were in the gallery when the circumstance took place, and from whom, perhaps, if examined, some further information might be collected.

Thomas Boswell, an inhabitant of Leicester, was called at the suggestion of Mr. Pares, and being examined, stated, That he sat within two or three of P. F., and between him and the messengers who were about four yards distant; did not hear him say, "Go to hell;" rather thinks he said, "I don't care a damn for you." He did not see him advance his note-book higher; but he did not take down his book, and continued writing in it.—His reply to the messenger followed immediately, without consideration.

James Darglas, another inhabitant of Leicester, was then called in, and being examined, he stated, That when the messenger desired P. F. to desist from taking notes in the front gallery, his reply was, "That he would speak to the Speaker,—or appeal to the Speaker." Did not hear him say, "Go to hell." Does not know that he said, "I don't care a damn." Did not hear that; but believes he did hear him say, "I don't care a something." He did not desist from taking notes.

Charles White, esq. a magistrate of the county of Lincoln, called in and examined; he stated, That P. F. was writing on the green cloth before him, in the front of the gallery. That the request of the messenger, that he would desist, was not complied with. That P. F. said immediately, "Go to hell," and further, "Go and be damned;" and with an oath in the phrase, said, "I'll appeal to the Speaker."—The witness sat next to P. F. on the right hand side,—knew him to be P. F. because he had been confined in Lincoln Castle.

Mr. *Ellice* said, that under the contradictory testimony the House had heard on both sides, especially as it could not be doubted but that all parties wished to give fair and honest evidence, he suggested to the hon. member the propriety of withdrawing his motion, in order to give the prisoner an opportunity of appearing at the bar to offer such an apology or explanation as the circumstances seemed to require—[No! no!]—and which, at all events, was due, on account of his having interfered, in any way, with the messengers, in the execution of their duty. If he were not out of order, he would move, as an amendment, "That Mr. Finnerty be again called to the bar of the House."

The motion being put from the chair,

Mr. *Bathurst* said, he knew not for what purpose the prisoner could be called to the bar, unless there was a feeling in the hon. member's mind, that he would make such an apology as could be received in mitigation of punishment. If he was disposed to make an apology for these words, it would place his case in a different situation from that in which it at present stood.

Mr. *Ellice* said, that having left the House for the purpose of writing a letter, he accidentally met the prisoner in the lobby—and, the offensive expressions having been positively stated to have been used by him, and by him as positively denied, he asked, whether it was possible there could be any misapprehension in his mind as to what occurred? The prisoner stated distinctly, "As far as my recollection goes, I did not use those expressions. I was taking a debate, on a very interesting occasion, and being interrupted, I might have used a hasty expression—but I know I left the gallery, fully determined to submit to the authority of the House." He asked the stranger "was he disposed to make an apology to the House for using even a hasty expression to the messenger?" The prisoner said "Yes;—that he would make any fair apology that might be required of him." Therefore it was that he proposed to call the prisoner to the bar, in order that he might offer an apology.

Mr. *Wynn* said, the ground on which he made his motion was not so much on account of the original offence, which might have arisen from the heat of the moment, as with reference to what had afterwards occurred. If the prisoner had thrown himself on the mercy of the House and asked pardon, perhaps the matter might have rested there. But, as he always held that the acknowledgment of an offence went greatly in mitigation of it, so he thought that a bold and unqualified denial was an aggravation of the error. As there appeared to be some dissimilarity in the evidence, and as the prisoner was ready to make an apology for what had occurred, he had no objection to withdraw his motion.

Mr. *Hutchinson* said, he had recently seen the prisoner, who authorized him to state, and also requested another hon. member to declare, that he was not conscious of having used any offensive language whatsoever. His not having stated this at the bar, was wholly owing to the embarrassment occasioned by his situation.

Mr. *C. Harvey* said, that the stranger must have known he had no right to sit in the front of the gallery and there take notes. By using offensive language, and contumaciously remaining, after he was ordered to withdraw, he certainly deserved to be visited by the displeasure of the House.

Colonel *Barry* was of opinion, that the prisoner had acted contumaciously, and that the House, in vindication of its privileges, ought not to suffer such conduct to pass unpunished.

Lord *Castlereagh* suggested, as the conduct of the prisoner could not be passed over unnoticed, whether a proceeding, short of committal, that of a reprimand at the bar, would not answer every useful purpose?

Mr. Finnerty being again called in,

The *Speaker* said—this House being informed that you wish to address something to them, have directed you to be placed at the bar.

Mr. Finnerty said:—"I am not conscious of having offered the slightest offence, or the smallest disrespect to the House, by any word or deed of mine this evening. I declare with sincerity, that, if I have been betrayed into any hasty expression, of which I have no recollection, I am sorry for it.—At the time the circumstance occurred, my mind was engaged in the most intense application to the individual who was then addressing the House, and whose sentiments I was most anxious to take down correctly. At this conjuncture I was interrupted, and God knows what might have escaped me! But I am not conscious of having said any thing offensive. If I have done so, I am sorry for it—but I again say I have no recollection of it."

Lord *Castlereagh* said, the prisoner having expressed his contrition for any thing that might have inadvertently fallen from him in the warmth of the moment; and having declared that he meant no disrespect either to the House or to its officer, it would perhaps be sufficient, if he were called in and reprimanded. The noble lord then moved, "That Peter Finnerty be brought to the Bar, in order to his being reprimanded and discharged."

Mr. Finnerty was accordingly brought to the Bar, where he received a Reprimand from Mr. Speaker, and was ordered to be discharged out of custody, paying his Fees. The Reprimand was as follows:

"Peter Finnerty; Anxious as this House always is, to measure the infliction of its punishment by the extent of the offence, it is no less anxious to show all the lenity that is consistent with justice and the maintenance of its own dignity. It would have been impossible for the House, under the Complaint brought before their notice, not to have visited this offence with the severest punishment, had they not been satisfied, from the explanation you have offered, that, whatever that offence was, it was involuntarily committed. Under all these circumstances, the House has directed that you be now reprimanded; and it may be well to warn both you and others, that, whilst they are availing themselves of the indulgence of the House, they should be most cautious not to abuse it. I have now to inform you, that you are discharged upon the payment of your fees."

COMPLAINT AGAINST "THE NEW TIMES" NEWSPAPER.] Mr. *Wynn* said, he was extremely sorry, after the time of the House had been so long occupied with discussions relative to breach of privilege, to be obliged to request their attention to another instance of the same kind. The breach of privilege which he was now about to notice was contained in an article which had appeared in "The New Times" newspaper, and had been adverted to in the course of a former debate. It was of such a nature that he thought it was quite impossible for the House to pass over it without being guilty of a dereliction of duty. The publication in question contained a series of remarks on the speech delivered a few evenings since, by an hon. member (sir J. Mackintosh), and were of such a nature as called for the severest censure of the House.—[The hon. gentleman here read extracts from the publication complained of. It was in the form of a letter to the editor, and contained a number of scurrilous observations on the speech delivered by sir J. Mackintosh on the Foreign Enlistment Bill, on the 10th instant. The writer expressed his surprise that cheers and thunders of applause should have awaited the accusations of sir James against his majesty's government, as the subservient supporters of a tyrannical system. Was sir James (asked the writer) always of the same opinion? Was he the same sort of man in 1808? Did he not then basely surrender the hope, the chance of establishing rational freedom? Was he not ready to submit to the tyranny of Buonaparté? He wondered that such men should now dare to reflect on ministers. If he were to believe newspaper reports, those scandalous and impudent observations of the old upholder of Gallic principles were loudly applauded, &c.]—Now, really (said Mr. Wynn), if such observations are allowed to be published without notice, the daily press is our master. We must not complain of these daily comments, but court the favour of those who indulge in them. If we suffer such remarks, believe me we open the door to the worst and most dangerous species of influence.

The article was read by the clerk; after which Mr. Wynn moved, "That A. Mitchell, the printer and publisher of the said paper, do attend the House this day."

Sir *J. Mackintosh* said, he looked upon this attack, as he trusted that he should upon all others which might be preferred against him on similar authority, with the most perfect indifference. As far as related to himself, he hoped never to see his name joined with any question of privilege. If the House should think it requisite, for the defence of its own dignity, to call the printer to their bar, he hoped they would punish the offence with as much lenity as they possibly could. With respect to the truth of the charge which had been brought against him, he must say, that the individual, who had invented it, had betrayed the grosesst ignorance of his conduct. At the time he [the writer of the letter] had represented him as playing the part of a sycophant to Buonaparté, he was administering justice in the East Indies.

Mr. *Croker* said, that though the letter in question was most undoubtedly a libel on the character of his hon. and learned friend, it was a libel of such a nature as could not possibly do it any harm. He should, therefore, take the sense of the House, whether it was or was not a breach of privilege. The falsest part of the libel had evidently nothing to do with any question of privilege, as it referred to the conduct of his hon. and learned friend before he had become a member of that House. It would be not merely a gross libel on his hon. friend, but also an infraction of the privileges of the House, to state positively that any member had brought forward false and impudent accusations; but this was not stated in the newspaper complained of; the writer had merely stated, that, if he were to judge of the reports in the newspapers, sir J. Mackintosh had brought forward false and impudent accusations. He thought that the best plan which the House could pursue, would be for some member to move that the writing of these comments was a breach of privilege. He had stood up in the defence of the newspaper in question from a feeling of justice, and because he thought that the purity of his hon. and learned friend's character could be impaired by such imbecile attacks as the present.

Lord *Milton* could not help thinking that there might be some doubt whether this letter was or was not a breach of privilege. If the charge were a libel at all, the latter part of it was most grossly libellous, not merely on his hon. friend, but also on the House, as it charged the House with receiving false and shameless not accusations with the loudest applause and approbation.

Mr. *Wynn* thought, that the breach of privilege was so evident as not to require the passing of any such resolution as the hon. gentleman had proposed. He could not conceive any grosser infraction of their privileges than to say of any hon. member that the statements which he made to the House were false and impudent assertions. How could the House expect to stand well in the esteem of the public, if the discussions which were carried on within it were to be published with such comments as those of which he complained? He agreed with the general feeling of the House in the advantages resulting from their publication; but if they were to be given with such comments as were now used, the shutting of the gallery altogether, though it might be an evil, would be a less evil than the continuance of the present system. That system had grown to its present height, because each individual, standing upon the strength of his own character, had failed to complain of, nay, even to notice it. He had brought forward this question, not with any view to protect the character of his hon. friend, but with a view to maintain the dignity of the House and the security of the public.

Lord *Castlereagh* thought, that as some degree of warmth had been excited in the House by the discussion which had incidentally arisen in the course of the evening, and as the present was a subject on which they ought to decide with calmness and deliberation, he should suggest to the hon. gentleman the propriety of deferring it till to-morrow.

Mr. *Wynn* said, that though he did not entertain the slightest doubt on the question himself, he could not have any objection to withdraw his complaint that night, if he was allowed to bring it forward to-morrow.

The motion was then withdrawn.

## HOUSE OF LORDS.

### *Wednesday, June* 16.

BARNSTAPLE ELECTION—WITNESSES INDEMNITY.] The Marquis of *Lansdowne* rose to present a Bill for Indemnifying the witnesses examined, or to be examined before the House, respecting the Barnstaple Bribery bill. Though he felt the House had inherently the privilege of protecting the witnesses whom it thought proper to examine, from any consequences arising from the disclosures made in their evidence, still the evidence thus given might afford a clue to the discovery of circumstances, from whence injurious consequences might result to the witnesses. It might also happen, that in a borough to which a bill of this nature might be applied, the whole class of persons to be affected by such a measure might be so involved in corruption, that no means might remain of getting at the truth, for the purpose of punishing such abominable and unconstitutional corruption, but by a bill of this nature. He did not, indeed, hesitate to state it as his opinion, that, in every case of this kind, a bill similar to that he now presented, ought to be passed, in order to enable the House to arrive at the truth, without injury to the individuals disclosing it.

The bill was read a first time.

## HOUSE OF COMMONS.

### *Wednesday, June* 16.

CAMELFORD ELECTION.] Mr. Gore Langton appeared at the bar with the report of the committee on the Camelford election. The report sat forth, that John Stewart, esq. and Lewis Allsop, esq. the sitting members, were not duly elected; that the election was void; and that the petition was not frivolous or vexatious. He also informed the House, that the committee had resolved,

1. "That at the last election for Camelford, the said John Stewart, esq. acted in violation of the provisions of the statute of the 49th of his majesty, (c.118) and is thereby incapacitated to serve in this present parliament for the said borough. 2. That John Rounsevel, Edmund Harvey, Richard Gayer, jun., William Rowe, and John Brown, Electors for Camelford, and William Hallet, of Saint Mary Axe, London, druggist, and James Harvey of Camelford, did corruptly endeavour to procure the return of two persons to serve in parliament for the said borough of Camelford. 3. That the said William Hallett, has wilfully absconded, in order to avoid being summoned to give evidence before this committee."—The report was ordered to be taken into consideration on the 25th; also, that the Speaker do not issue a new writ before the 25th.

BANK ADVANCES BILL.] Mr. *Peel* said, that among the recommendations contained in the report of the Select Committee on the affairs of the Bank, there remained one to which the House had not yet adverted. It was a recommendation, however, which was by no means of minor importance. The committee recommended that parliament should adopt some permanent provision for defining and limiting the future advances made by the Bank to the public, and for bringing those advances constantly under the superintendence of parliament. It was a bill to effect that object that he should, in conclusion, move for leave to bring in. There were three modes in which the purpose might be accomplished—either by a law, interdicting the Bank from making any advances at all—a prohibition that would be attended with great public inconvenience; or by establishing a nominal amount to which the advances might be extended, which would be attended with the disadvantage, that that amount might sometimes be too small, sometimes too large for the necessity; or thirdly, by the plan which, under all the circumstances of the case, he conceived to be the most expedient. He proposed to enact, that the Bank should, in the first place, be prohibited altogether from making any advances to government; and that, whenever such advances were deemed desirable by government, an account of them should be submitted to parliament for the purpose of obtaining its authority. This course would bring the whole subject of the advances from the Bank, under the constant inspection of parliament. The first clause of his bill would prohibit the Bank of England from making any advances to government unless distinctly authorized by parliament. It would then provide, that if parliament considered such advances desirable, and authorized them by a specific act, either the first lord of the treasury, or the chancellor of the exchequer, should make a written application to the directors of the Bank for the required advances, which application, and their answer to it, the directors should enter on their minutes. The next clause would provide, that the written application so made, and the minutes of the Bank, stating their acquiescence or refusal, should be laid before parliament, thus bringing the whole transaction under its cognizance. There was another point to which the bill would be directed. He should propose the same regulations respecting the purchase of Exchequer bills by the Bank as he proposed with reference to the advances. This appeared to him to be the most natural and effectual mode of establishing a parliamentary control on this important subject. He concluded by moving for leave to bring in a bill to establish regulations for the purchase of government securities by the Bank.

Mr. *M. A. Taylor* congratulated the House on its being now proposed to do what, if it had been done long ago, would have averted the calamity of the late war.

Mr. *Ricardo* thought the Bank ought not to be in any way shackled in the management of their own affairs. Great inconveniencies, in the diminution of the circulating medium, might result from establishing too strict a limit on this subject.

The *Chancellor of the Exchequer* said, it was not his opinion that any diminution of the circulating medium was necessary, nor did he believe that any such would take place.

Leave was then given.

CURRENCIES OF ENGLAND AND IRELAND.] Sir *H. Parnell* rose to propose a measure for assimilating the currency of Ireland to the currency of England, and for better regulating the exchanges between the two countries. There were two things principally to be attended to. 1st. The coin which was legally current in Ireland: 2nd. The money of account. The gold and silver coin of England were also the legal coin of Ireland, and current there for the same real value, but for a different memorial, one arising from the copper coin of Ireland being $\frac{1}{13}$th part less in value than the copper coin of England, and to the Irish money of account being taken from this copper coin 12*d* of which was equal to an Irish shilling of account, and 20*s*. of Irish money of account to 1*l*. Irish. This made the English shilling equal to 13*d*. The English pound equal to 1*l*. 1*s*. 8*d*. Irish, and 100*l*. English equal to 108*l*. 6*s*. 8*d*. Irish; and hence arose the par of exchange between the currencies of $8\frac{1}{3}$rd. per cent. All who carried on transactions between the two countries experienced considerable doubt and difficulty, in consequence of this difference in the respective currencies. Persons buying or selling did not know what sum to give or receive. Great interruption to commerce was occasioned by this difficulty. It was therefore obviously clear that it ought, if possible, to be remedied. The hon. baronet proceeded to show the disadvantage under which Ireland laboured in consequence of the exchange as between her and this country being so much against her. On a bill drawn at 21 days, there would be a loss of 5 per cent, as much as a whole year's interest on the sum. The time when we were about to restore the currency of both countries to its original value was, he thought, the most proper for an endeavour to assimilate them. He did not expect that the committee would be able to carry the measure into effect in this session, but at least their labours at present would go a great way towards effecting it in the course of the next. He concluded by moving, "That a select committee be appointed to inquire into the expediency of assimilating the currency of England and Ireland."

The *Chancellor of the Exchequer* said, he concurred in all the general principles and observations of the hon. bart. and was very anxious to see so desirable an object accomplished; but he submitted to the hon. bart. whether, in the present period of the session, it would be expedient to go into a committee, from which, according to his own admission, no practical result could be immediately obtained. If the matter were investigated early in the next session, as much good might be the result as if it were now gone into. He should, therefore, move the previous question.

Mr. *Grenfell* would have no objection to the postponement of the committee, if ministers would give a distinct pledge to agree to a committee; and if such a pledge was given, he should recommend his hon. friend to withdraw his motion, and give notice for a motion to appoint such a committee very early in the next session.

The *Chancellor of the Exchequer* had no objection to declare that, unless some very unforeseen occurrence took place, he would support such a motion, as he was as desirous as any one to get rid of the present inconveniences arising from the two currencies.

Sir *H. Parnell* then consented to withdraw his motion, as it was nearly the same thing, and equally secured the object of his present motion.

Breach of Privilege—Mr. Collier reprimanded.] Mr. *W. Smith* rose to present a petition from the gentleman who was yesterday committed to the custody of the serjeant at arms for a breach of privilege. He did not mean to deny that a great breach of privilege had been committed; but he was one of those who did not think it intentional. He had said last night, that from his knowledge he could state, that the individual in custody was highly respectable from connexions, character, and education. From what he had since seen of him, he was the more strongly impressed with this belief. The petitioner did not deny his being guilty of a breach of privilege, but he respectfully asserted, that he had no intention of offending the House or any hon. member of it. He prayed, therefore, that he might be brought up and discharged.

Sir *F. Burdett*, without going into an inquiry respecting the question then, could not omit entering his protest against the principle which the House had assumed, of acting on questions of privilege in the double capacity of judge and accuser. He could not see upon what principle of law or justice the House could compel a man to appear at their bar, and be obliged to become his own accuser. The practice was, in his opinion, pregnant with dangerous consequences, and therefore one to which he would never give his support. It went upon the principle of Rhadamanthus, *castigatque auditque*. It chastised first, and heard the party after; which he conceived was a most unjust method of proceeding. As to the particular charge against the petitioner, he did not believe him guilty, for he understood that the words used were nearly similar to those reported, and that there were cheers about the same time [Cries of "No, no"]. At all events it seemed to be admitted on all hands, that the report had been given without ill-intention on the part of the petitioner, and he maintained that where there was no ill intention there could be no crime. If, then, there was no ill intention on the part of the petitioner, how, he would ask, could the House punish? It ought, he conceived, to be held in the House as it was in another place, that "actus non facit reum, nisi mens sit rea."

Lord *Castlereagh* did not see in what character the hon. baronet appeared before the House on the present occasion. If it were as an advocate, he had acted, as was sometimes done elsewhere, in a manner calculated to do his client an injury, for the tendency of his observations was, to oppose the clemency with which the House might be disposed to treat the petitioner. The hon. baronet had protested against the power which the House had exercised in maintaining its privileges: upon this subject however the hon. baronet was not the most impartial person to decide. He had, on one occasion, tried in a court of law the question of the power of the House on this point; and after the result, he (lord C.) did not expect to hear this opinion again put forward. But the hon. baronet denied that the petitioner made any misrepresentation, or committed any breach of privilege. It should, however, be recollected, that he (sir F. Burdett) was not in the House while the accused person was at the bar. If he had he would have found that the petitioner had acknowledged the breach of privilege, and did not attempt to justify it. The object of what the petitioner had said, was certainly to induce the House to believe that he had no intention of offending; but in this defence of himself, he had not drawn any of those distinctions which the hon. baronet had made. If the person whose report had been the subject of complaint was to have his offence visited with lenity, it would be owing to his conduct at the bar, and not to the arguments which the hon. baronet had produced in his defence.

Mr. *Courtenay* could not let the subject pass over without informing the House of the light in which he viewed the offence which had been committed. That offence had been extenuated considerably, in the estimation of the House, by the manner in which the individual had behaved himself. Indeed it would have been extraordinary if any person, gifted as those were and must be who gave the debates of that House to the public, had not been aware of the situation in which he was standing before the House, and of the absolute necessity which existed of his conducting himself, as the individual in question had conducted himself, with candour and humility. The House might give too much weight to such artful conduct, and therefore he thought it requisite to notice the subject. Much had also been said of the good character, the excellent education, and the respectable connexions of the individual to whom he had before alluded. This, in his opinion, did not form any extenuation of his offence. If an illiterate man, without any of those nicer feelings which mark the gentleman, should assail the character of an hon. member in scurrilous and indecent language, the person so assailed might treat the charges produced against him with contempt, and consider the reptile who fabricated them unworthy of his anger; but when similar charges were produced by persons on whose minds education had engrafted the feelings of the gentleman, together with all those nice susceptibilities of personal honour which belong to that character, circumstances were entirely changed, the offence assumed a deeper dye, and, when punished ought to be punished with greater severity. He would not moot the question which was then before the House. He confessed that he fell in with the general opinion of the House, that the prisoner had no intention of misrepresenting what had fallen from the hon. gentleman opposite, or of libelling the character of his right hon. friend. But still he thought that it ought to be most distinctly understood, that it was highly reprehensible in any individual who pretended to give an accurate representation of the debates of that House, to send forth to the country, as a correct statement of what was said in it, that which he knew that he had not himself heard, that for which he could not himself vouch, that which he had learned from an entire stranger, and that of which it was in his power to have ascertained the correctness by application to his fellow reporters.

Mr. *Huskisson* said, that the purport of the hon. baronet's remarks was, that the report in question was not a misrepresentation of what the hon. member for Aberdeen had said; if that hon. gentleman had been in the House at the time when those remarks were made, he was quite certain that he (Mr. Hume) would not have hesitated to rise and contradict the insinuations which had been thrown out against him in his absence. If his right hon. friend had not been fully convinced that the whole of the paragraph complained of was a most gross misrepresentation, he would not have taken any notice of it in the House, but would have terminated the business by another and a different issue [Loud cries of Order].

Mr. *Hume* expressed his astonishment at the conduct of the hon. baronet. Had he been present, either when the speech was made, which had been unfortunately misrepresented, or when he (Mr. Hume) gave an explanation of what that speech actually contained, he would not have uttered the observations which he had done. Indeed, as it was, he was quite astonished how the hon. baronet could express any doubts of the truth of his representations. He was extremely sorry to hear the hon. baronet throw out such doubts, because he would venture to say that there was not a single individual in the House who heard him that was not satisfied that he had never uttered any thing like the calumny which had been imputed to him. He had stated on a former occasion his conviction, that the editor of The Times had no knowledge of the incorrect nature of the paragraph which had been inserted in the paper, and he had only to appeal to the candid and manly manner in which the reporter had given his evidence at their bar, to prove that there was no malignity against the right hon. gentleman on his part.

Mr. *Hutchinson* said, that a strong feeling existed in his mind, that nothing like malignity had actuated the gentleman who had made the report of which complaint had been made.

Mr. Collier was then brought to the bar, where he received a Reprimand from Mr. Speaker, and was ordered to be discharged out of custody, paying his fees. The reprimand was as followeth, viz.

"John Payne Collier;—You having confessed yourself to be the author of a paragraph, which this House resolved to be a scandalous misrepresentation of the debates and proceedings of this House, a calumnious libel on the character of one of its members, and an aggravated breach of its privileges, you were, for the said offence, committed to the custody of the serjeant at arms attending this House. Grave and serious as this offence is, the manner in which you conducted yourself whilst under examination at the bar, and the explanation you then offered, led this House to the conviction that your misconduct was not intentional, and induced them consequently to treat you with a lenity, which, under no other circumstances, could such an offence have either suggested or justified. Your petition of this day has been received, and fully considered, and the terms in which it is conceived, and the sorrow and regret expressed in it, coupled with your conduct at the bar, to which I have before adverted, induce this House, in the further extension of mercy, now to order that you be reprimanded and discharged. Let not, however, that lenity be misunderstood; let it not be forgotten, that it is alone from the indulgence of this House that there is room for the commission of any such offence; and that the abuse of such indulgence aggravates the offence. Let this be a public warning, that the repetition of this offence, after the notice that has been now taken of it, cannot but be considered as wilful; and by whomever it may be committed, it will assuredly be visted with the utmost rigour and the severest punishment. Having now, in obedience to the commands of this House, thus reprimanded you, I have further to acquaint you, that you are discharged, upon the payment of your fees."

MARRIAGE ACT AMENDMENT BILL.] Mr. *W. Smith* observed, that in bringing forward the motion of which he had given notice, he found himself fortified by the contents of several petitions which had been presented. The prayer of those petitions was for some alteration in the marriage service, as it respected a particular class of individuals. The grievance complained of was described in as brief terms as possible in the petitions themselves, which stated that the marriage service, as prescribed by law, was, in some of its parts, inconsistent with the principles of their religious belief. Prior to the act of the 26th Geo. 2nd marriage was considered in this country merely as a civil contract. To the ceremonial appointed by that act the dissenters generally entertained some objection; but what was complained of by his clients on this occasion was, the various expressions relative to the doctrine of the Trinity which occurred in it. By a recent statute they had been relieved from the penalties and disabilities imposed by laws which had become almost obsolete, but it was still unpleasant to their consciences that this doctrine should be introduced in a manner that implied a recognition of it on their part. As this introduction of it was perfectly useless, the petitioners hoped that in their case it might be dispensed with. Before the act of Geo. 2nd, marriage was held to be essentially a civil contract. For this proposition he had the authority of Mr. Justice Blackstone. It was not then requisite to its validity, that it should be connected with a religious ceremony. From the operation of that act, however, Jews and Quakers were exempted; and he believed that the petitions which they addressed at the time of its passing, had led to their exemption. The petitioners did not complain of the general tenour of the marriage service, but of a distinct part of it, the omission of which, in certain cases, was the object of the measure it was his intention to propose. If it were important that the marriage contract should be sanctioned by a religious ceremony, it ought to be congenial to the religious principles conscientiously entertained by the parties. He knew that many persons regarded marriage as the most solemn engagement which could be contracted, and that it was highly advantageous that it should be clothed with the sanctions of religion. In taking oaths, the religious creed of the person sworn was always made the test and security of his evidence. the Jew was sworn upon the Old Testament, and the Mahometan upon the Koran. The analogy appeared to him to be extremely strong. He feared, however, that the association of a religious ceremony with the marriage contract had not always the good effect that was ascribed to it. If they looked to those countries where marriage was a sacrament, it would appear that its vows were much more frequently broken than in the northern part of this kingdom, where no religious ceremony was essential to its validity. Under all these considerations, he should now move for leave to bring in a bill to alter and amend the Marriage act, so far as relates to the ceremony in the case of Protestant Dissenters from the church of England.

Lord *Castlereagh* did not object to the introduction of the bill, but as he was not aware of the provisions it might contain, he must reserve his opinion till the measure should be before the House.

Mr. *Wilberforce* acquiesced in the propriety of allowing the bill to be brought in. He could not help feeling some apprehension lest the general terms in which his hon. friend had spoken of marriage as a civil contract might be misunderstood. There could be no doubt that, so far as evidence was concerned, it might be so denominated, but the institution was itself of divine ordinance.

Leave was given to bring in the bill.

ACTS IN DESUETUDE (SCOTLAND) BILL.] Mr. *Boswell*, in moving that the report of this bill be brought up, said, he was constrained to admit, that although the statute law of Scotland might be abrogated by contrary custom, this principle could not apply to acts of parliament passed since the union and extending to Scotland. If the present measure were an improper one, he should be the last person to regret that it was checked in its progress; but he was convinced that it would be attended with great benefit.

Mr. *J. P. Grant* admitted, that the laws of Scotland might fall into desuetude; but he could not go along with the bill. If the hon. gentleman was able to show that doubts could arise on the subject, the legislature would interfere by a declaratory law; but as no man could predicate that doubt was likely to arise, there was no ground for interference. It was certain, that no writer had given it as his opinion, that an act passed since the Union could fall into desuetude. The doctrine of the statute law of Scotland was, that it might fall into desuetude, because such had been the intention of the legislature; but the doctrine of the law of England was, that there had been no such intention on the part of the legislature, and that therefore it could not be abrogated by contrary usage. He should move, that the report be taken into farther consideration on that day six months.

Mr. *Tennyson* said, the objection of the hon. and learned gentleman appeared to be two-fold: first, that no doubts had arisen with respect to the application of desuetude to statutes of the united kingdom, and secondly, that the principle of liability to desuetude in Scotland had attached to the old laws at the period of their enactment, and could not therefore apply to acts passed by the united legislature. With respect to the first head of objection he might observe, that sufficient time had not perhaps elapsed since the union, for laws subsequently made to fall into desuetude, and, therefore no occasion had offered itself to the Scottish courts for the expression of doubts on the subject. But the question was, whether, when in course of time, statutes of the united parliament fell into disuse in Scotland, they would not also lose their validity according to the interpretation of the term desuetude in the Scottish law? The hon. and learned gentleman, it seemed, thought they would not, because the principle of liability to desuetude attached, in his opinion, to the law in its origin. He (Mr. T.) concurred with him in thinking, that if the principle did attach itself to the law at the period of legislation, it could not apply to one made by the united parliament, which certainly did not recognize such a principle. But he doubted whether desuetude did not rather attach to the law in its administration in Scotland, as part of the common law inherent as it were in the soil of that country, until eradicated by the legislature. It would be recollected, that by the articles of union all the laws and customs of Scotland were preserved to her in full integrity; and the courts of session, justiciary, and other courts, were to retain all the powers, jurisdictions and authorities, which they had previously possessed and exercised. As therefore, prior to the Union, they had a power of declaring laws to have fallen into desuetude, so they might still be considered to retain that power with respect to laws passed since the Union as well as before; especially if, as he always understood, laws relating to Scotland passed after the Union were to affect Scotland, and be administered there precisely as the laws formerly passed by the Scottish parliament. As to the manner in which the courts of Scotland might think proper to act in this matter—if, in fact, desuetude were part of the *lex terræ* of Scotland, it could not be competent to them to abrogate it with respect to any particular class of laws, either by abstaining from the practice of determining laws to be in desuetude, and therefore of no validity, or even by the most positive declaration; and to insist that they were competent to this, would be to make a much broader admission respecting the objectionable powers of Scottish courts, than was necessary to support the bill of his honourable friend. But if the hon. gentleman was correct in his opinion, that liability to desuetude in Scotland resulted from a known principle of legislation, formerly recognized in the Scottish parliament, and thus attached itself to the law at the period of its enactment, and not at a period subsequent to legislation, namely, in its administration, then, however extraordinary a legislative principle, which contemplated non-observance, might appear to him, he was constrained to admit that the present bill was unnecessary.

Mr. *Scarlett* thought the measure unnecessary. It was not usual in legislation to provide for the removal of doubts that might possibly arise. He apprehended it would be an anomaly to say, when the united parliament had passed an act intended to apply to all the kingdom, that it should be binding on this side of the Tweed, and not on the other. The preferable mode of proceeding would be, to postpone the measure till a doubt should arise on the subject, when a declaratory act might be necessary.

The amendment was agreed to. The bill was consequently lost.

## HOUSE OF LORDS.

*Friday, June* 18.

WAGER OF BATTLE ABOLITION BILL.] The *Lord Chancellor* moved, that the House should resolve itself into a committee on the bill for the Abolition of Wager of Battle upon issue joined in a writ of right, and appeals of treason, murder, &c. With respect, he said, to the first part of this bill, which related to the civil proceeding, he had never heard any doubt expressed of the propriety of repealing the right of waging battle. The only difficulty felt with regard to the total abolition of that part of our law, had reference to the right of appeal and wager of battle in cases that resembled criminal proceedings. This part of our law was very ancient, and their lordships ought not to be required to surrender it without some statement of the causes that induced him to propose this measure. With respect to civil cases, the trial by battle was permitted only in real actions, and even in these the parties to the action were not suffered to fight *in propriâ personâ;* they were compelled to confide their interests to champions, on the principle that if one of the parties were slain, the suit must abate. They were, therefore, under the necessity of appointing champions, and these were to fight until one of them used what the law writers called the "horrible word" *craven*, and according to the result of the battle the right of property was determined. In consequence of the principle adopted by the courts of Scotland of suffering laws to fall into desuetude, the present measure was unnecessary in that part of the kingdom. The learned lord then read a long extract from Mr. Kendal's learned and able work on this subject, giving a detailed account of the proceedings in the Court of Common Pleas, in 1570, in a writ of right, when champions were appointed, and appeared on the ground in the presence of the judges, but the fight did not take place. The names of the champions were Thorne and Naylor; one a brawny thick-set fellow, the other slight in body, but an expert fighter. Thorne seemed disappointed that the fight did not take place, and challenged Naylor "to play with him some half-dozen blows for the amusement of the lord chief justice," but Naylor replied, that "he had come to fight, and not to play." The learned lord thought nothing further was necessary on this point to show the necessity of abolishing the law, in civil cases. With respect to criminal cases, no doubt this law was very ancient, and there were many who were unwilling to give up the right of appeal. In former times, many applications had been made to take away trial by battle, but it was a different thing to abolish trial by battle and trial by appeal; for those who wished to take away the trial by battle, only meant to alter the mode of trial by battle. In the case of Allen, who was murdered in St. George's-fields, an attempt was made to take away the trial by battle, and also to abolish the law in the colonies. The House must no doubt be aware, that some very eminent lawyers and judges had expressed themselves strongly in favour of the right of appeal, and even lord Ashburton declared it to be one of the strongest pillars of the constitution.—His opinion of its excellence differed widely from that of this highly distinguished character; for he could not separate the consideration of it from that of trial by battle, and so connected it presented many striking inconsistencies with the whole system of our laws and constitution. Were their lordships aware that, notwithstanding their proud boast that they could be tried for treason, murder, or other felonies, only by their peers in Westminster-hall, yet if any one of them were acquitted by their peers, such noble lord would still be liable to be appealed of treason or murder; and as he would not, in respect of his dignity, be permitted to wage battle, the consequence would be, that he would be tried by an ordinary jury. Two petitions had been presented to the House on this subject, one of which was from the city of London, praying that the right of appeal in criminal cases might not be taken away from the people. The petitioners stated, that the citizens of London could not be compelled to accept of wager of battle. This was true, the citizens of London and of Dublin were so far exempt from the operation of the law; but he thought it impossible to separate wager of battle from the right of appeal, so that the removal of the one must involve the removal of both; and it was for the House to consider, how far it might be, in the present state of society, proper to establish anew the right of appeal. It then became a question, what an appeal was? This question was the more necessary, because some persons entertained a belief that the right of appeal contemplated in the bill was that which was technically called an appeal, namely, a complaint of one judgment to another court. But this was a very erroneous supposition; because this right of appeal, although it had reference to criminal matters, was yet in the nature of a civil proceeding, and might be instituted by the appellor, even although there had been no previous criminal proceedings. This the learned lord maintained by reference to the sentiments of many eminent lawyers, whose opinions he read at length. In case of conviction on such a proceeding, the Crown could not grant a pardon; and even in the event of an acquittal for murder, for instance, or other crime on indictment by the Crown, still the widow or heir of the deceased might proceed by appeal against the appellee, while, in the event of an acquittal on an appeal, the king was bound by a plea of this fact, and could not proceed by indictment. The appellor was therefore more favoured by the law than the Crown itself. The learned lord then showed, by reference to several cases, and the opinions of the judges, that the right of wager of battle rested with the appellee, and thence argued, that the right of wager of battle was necessarily connected with the law of appeal. Those persons, therefore, who meant to take away the right of battle, proposed a very great change in the constitution of the country in this respect; for, according to the old law, those who made the appeal were obliged to do so at the hazard of their own lives, and, in many cases, it was very proper that they should do so. It was, he thought, a very great absurdity, that a man who had been acquitted by the unanimous opinion of a grand jury, there appearing on the face of the accusation no sufficient ground for proceeding against him, or by a petty jury, by whom the whole case had been fully and satisfactorily investigated—that this individual should again be put into jeopardy of his life, provided any person standing in a certain degree of relationship to a deceased, or being himself the person injured, thought proper, from motives either of vengeance or of avarice, to proceed against him by way of a civil proceeding. The well-known principle of our law, that no man shall be twice put into jeopardy of his life for the same offence, was in direct opposition to such a mode of procedure. Was it not also a very gross absurdity, that the Crown, in which the power of pardoning offences against the public was invested, should not have the right of pardoning in the case of an appeal, and yet that the appellor, if successful in his appeal, might grant life and liberty for a sum of money? In an indictment at the suit of the Crown, the prosecutor would expose himself to a very severe punishment, if he were, in the words of the law, to compound the felony; and yet, let the prosecutor bring an appeal, if entitled to do so, and he might barter the right of proceeding for any sum within his discretion. Was it fitting that a law containing so many absurdities, and principles so different from those most revered in the general system of our law, should be suffered longer to exist? Indeed, it was surprising how such a law had so long cuntinued a part of our system. The learned lord concluded by moving that the bill be committed.

The motion was agreed to, and the bill went through the committee.

## HOUSE OF COMMONS.

### *Friday, June* 18.

Excise Duties Bill.] The order of the day having been read for going into a committee on this bill, the Chancellor of the Exchequer moved, that the Speaker should leave the chair.

The Marquis of *Tavistock* could not allow the motion to be disposed of without making a few observations. Was it not a grievous reflection, that when ministers proposed to the House of Commons a tax like the income tax, which was to have its effects on the pockets of hon. members themselves—a tax, by the former repeal of which parliament relieved itself, and not the nation—was it not shameful that the House of Commons, when such a tax was again proposed, rejected it with indignation; and yet, when other taxes, operating on the poor and defenceless classes of the community, were proposed, carried them by acclamation, and nothing was heard of but the triumphant majority of ministers on the subject!—The language of the noble lord opposite when he took off the war malt duty was, that as parliament had relieved itself from the property tax, it was the duty of ministers to relieve the country by taking off the malt tax. If, therefore, it was absolutely necessary that fresh burthens should be imposed on the country, why did not ministers propose their favourite income tax?—Why, but because they were afraid of the House of Commons?—Why did they, in lieu of the income tax, select the taxes which, of all others, were calculated to operate most severely on the poor? Would ministers have dared to do this; or, if they had done it, would it have been endured by the House in the last year of the last parliament? Was it surprising that discontent and disaffection should discover themselves, when the people saw those who ought to be their representatives shelter themselves from the property tax, while they did not hesitate to tax the tea, the tobacco, and the malt of the poor? It had, however, long been his firm persuasion, that until the House of Commons should be fairly elected by the people, it would be useless to protest against such practices. The only remedies for them would be a shortening of the duration of parliament, and a full and equal representation of the people. If any thing had been wanting to convince him of this truth, he should have found it in the support which the new parliament had given to every measure proposed by ministers. The dissatisfaction existing at the present system was notoriously manifested during the last election, whenever the sense of the country could be heard. He did not wish to speak on this subject with any party feeling. He wished to speak with truth, which was paramount to all party feeling. The people did not exclaim so much for a change of men; but they exclaimed loudly for a change of measures. They expressed a decided hostility to great peace establishments, and to that influence which had been so fatally exercised by ministers in the last parliament. While, however, the people called for economy and retrenchment, ministers and their majorities answered by increasing the burthens of the country. In his mind, the existing system was supported by the present state of the representation—by corrupt borough influence, and by parliaments being elected for seven years. Until he could see a disposition manifested to meet the wishes of the nation by a reduction of our establishments, and by the substitution of a system of reform, retrenchment, and economy, in every department of the state, he, for one, would not consent to lay a single additional tax on the people. He would therefore move, as an amendment, to the original motion, "That the House should resolve itself into the committee on that day six months."

The *Chancellor of the Exchequer* denied that the proposed taxes would fall exclusively on the lower classes. They would fall on the whole community. The fact was, they would produce very little pressure on the lower classes. The tax on malt would not have the effect of raising the price of beer. It would affect the rich, not the poor. The beer drank by the poor was manufactured by the public brewer, and the public brewer would have no occasion to make any rise in the price of his beer in consequence of the tax. The duty on spirits also, would not induce the distillers to raise their prices. Thus, of the three millions of new taxes, two millions would be levied without adding to the burthens of the poor; a circumstance almost unprecedented in the history of taxation.

Mr. *C. Calvert* insisted that the tax on malt would affect the poor and not the rich. The exciseman was excluded by law from coming into private premises; and all who were in the habit of brewing for themselves, would procure the malt they might require, before the imposition of the proposed duty on the stock in hand. But, although the immediate price of beer brewed by the public brewer might not be increased by the duty, would it not, at all events, retard the diminution of the present price? The price of beer must always depend on the price of the raw material. If the right hon. gentleman laid a duty on the stock in hand of the raw material, would he not retard the cheapening of the manufactured article? The right hon. gentleman might lay duties, but was he quite sure he could collect them?

Mr. *Bennet* compared the present conundrum of the right hon. gentleman on the subject of the malt duty not affecting the public, to his conundrum some years ago, that a pound and a shilling were equivalent to a guinea. On second thoughts, the right hon. gentleman might perhaps discover, that if taxation prevented the price of any article from falling, the difference between the price maintained, and the price to which it would have fallen, was so much loss to the public. The tea tax would also be felt severely by the poor, with whom tea had almost become one of the necessaries of life. The gross revenue at present derived from tea was 3,300,000*l.* The East India Company made 2,000,000*l.* annually by their monopoly of the tea trade. The people of England were thus already taxed above 5,000,000*l.* on this single article. There was no country in which the labouring classes enjoyed so little from their labour as in England. Under these circumstances, he thought the taxes proposed ought not to be adopted.

Mr. *Grenfell* said, he should vote for the amendment, not because he thought the state of the representation corrupt, but because this was not, in his opinion, the proper moment to resort to a system of taxation.

Mr. *Gooch* remonstrated against the duty on malt, which was a tax on the poverty, and not on the wealth of the country. It was a tax affecting the best interests of the country, as must ever be the case when the agricultural interest was affected. The farmers were already borne down by the competition of foreign growers, and other circumstances.

Mr. *Price* objected to the whole measure—to the principle—and not to any particular tax. Ministers had, on various occasions, exhibited their indisposition to retrenchment, until forced by the House; and he would vote for the amendment, as another means of producing so desirable an effect.

Lord *Ebrington* not only objected to the bill because he had a total want of confidence in the present administration, and was persuaded that any money granted to them would be improvidently expended, but because the country could not bear additional taxation.

Lord *Compton* supported the tax; but if hon. gentlemen on the other side would vote for a modified property tax, he would consent to abandon not only the malt tax, but many others.

Lord *A. Hamilton* had great doubts whether the new projects of the chancellor of the exchequer would produce an effective revenue. He admitted that it was very desirable to have a sinking fund; but as far as it had gone, its effect had been rather to induce ministers to increase than diminish the expenditure. The malt-tax was peculiarly impolitic, because it encouraged the consumption of spirits, which promoted the growth of the worst vices. Government were laying on new taxes in direct contradiction to the promises they had held out of augmenting revenue and growing prosperity.

Mr. *Coke*, of Norfolk, argued, that the oppression upon the landed interest by the new malt tax, would be severely felt. It was the duty of every man to oppose this attempt to arm ministers with new powers of collecting money. He was an old member of parliament, and well knew the profligate mode in which the public money was squandered. He would go the full length of asserting, that this was a corrupt House, from which no good could be expected! [Order, order!]. Ministers had nothing to do but to summon their troops, and they had a majority instantly at their command: it was in fact a joke upon the country, and the people felt it to be so from one end of the kingdom to the other. He trusted that the day was not far distant when triennial parliaments would be established; for ministers would not have dared to have proposed these taxes last year. As the time approached when members were to meet their constituents, they behaved a great deal better. In the first year they cared very little about their constituents. Reform in parliament was the only true remedy for most of the present grievances.

Lord *Milton* said, that there was not one of the taxes in which the House ought to concur. At the agriculture and manufactures, at the industry and physical strength of the nation, these new taxes were levelled. Perhaps the higher orders were not in a situation to contribute more; but the new taxes were calculated to press hard upon the poor, and upon the poor only. It would be a much more effectual sinking fund to leave the 3,000,000*l.* in the pockets of those who would be able to apply it to beneficial purposes, and to increase it much faster than by compound interest.

Mr. *Wilson* said, he had given a conscientious vote for 3,000,000*l.* of taxes, in order to put the country in a state to meet its difficulties, and to repel attacks, should any new enemies arise. He contended, however, that the sinking fund ought not to have been reduced below 5,000,000*l.*, and that the consequent deficiency of 3,000,000*l.* ought to have been made up among the ways and means.

Mr. Alderman *Waithman* repeated his protest against additional taxes, opposed as they were by the general sense of the nation. During four years of peace, no efficient attempt had been made to reduce the expenditure. He would not vote for a single new tax, until the minister had tried the experiment of retrenchment.

Mr. *Lamb* said, it was admitted by almost every gentleman, that we had not a revenue more than sufficient to meet the expenditure of the country; this circumstance, added to the insufficiency of the consolidated fund to meet the charges upon it, afforded no very flattering prospect of our finances. If, however, we looked back to the history of the last century, we should find that this was not the first time in which the country had been reduced to a similar state of exhaustion. Indeed, such always had been, and always would be, the effect of long wars, especially upon the system on which we conducted them—the system of borrowing large loans, and then anticipating our future revenue. If ever we had the misfortune to be engaged in hostilities again, he trusted that this system, if not altogether abandoned, would at least meet with considerable modification; because, if it did not, it would produce evils even still more serious than those which we were now suffering, or those which we had suffered upon former occasions. The war of the succession, which occurred at the beginning of the last century, and the American war, which had occurred in a period much nearer to our own times, both left us in a situation of great embarrassment; and it therefore might be advantageous to recollect what was then done, before we determined on what we should now do. Both during the continuance and at the close of the American war, it was the opinion of Mr. Fox, and those who acted with him, engaged as they were in one of the warmest political contests which ever occurred between any of the factions into which this country had been divided, that every measure for the maintenance of public credit ought to be supported by every party in the state. That illustrious statesman had never made any opposition to any tax, except in one or two instances [Hear!]. In 1785, when 1,000,000*l.* was proposed for the sinking-fund by his great political rival, Mr. Fox supported the measure. In 1792, Mr. Fox had stated in the House, that it was not to the supporters of Mr. Pitt alone that credit was due for the supplies which were raised, but also to those gentlemen who took the same side in politics as he did himself. The same line of conduct which was then pursued by those distinguished individuals, he should have wished, if it had been consistent with the duty which he owed to himself and his constituents, to have pursued now. But at the same time that he looked at the similarity of the two cases, he was also bound to look at their difference. There were strong reasons why, if fresh taxes were to be imposed on the country, the present year should be the time fixed for making that necessary effort which was to arrange the finances of the country, and to place them once more upon a sure and solid foundation. When he considered the other experiments which we were at present making, and when he recollected the distress in which the country was now involved, as well in its mercantile as in its agricultural interests he could not help giving his vote in support of the amendment. The new duties were imposed on articles of general use. He by no means intended to object to the general principle on which those duties were proposed; in general, they fell as lightly and were as fairly divided as any duties could do; but when they became exorbitant, they were not only productive of great inconvenience to those on whom they fell, but also of great debasement and adulteration of the article on which they were imposed. On these grounds he should oppose the supply, even if it were requisite to raise it at the present moment. Besides, in the levying of taxes, it was requisite to consider what would be the effect of them on the popular mind: now he thought that the object of these taxes was liable to be misrepresented; nay, that they might, even if represented in their real colours, be the subject of great public odium, and that, instead of producing energy and vigour in the country, they might produce general despondency and dismay. He had heard gentlemen on the opposite side, affirm, that if a financial effort was to be made by the country, it could never be so advantageously called forth as by some tax founded on the system of a tax upon property. For his own part, he was well aware that this great resource ought to be reserved for the exigencies of war; but our extraordinary situation in peace, appeared to him such as to demand our having recourse to some such measure. A slight proportion of the property-tax would leave a sufficient resource to the country, in case we should unfortunately be called upon to engage once more in hostilities. With regard to retrenchment, if these taxes were to be voted, he should certainly advise ministers to make every reduction that could possibly be made.

Lord *John Russell* said, that the real question was this; was it expedient that, in the present crisis, there should be a sinking fund of five millions? There were two ways of considering the principle of this sinking fund, one way was, that it should be made to provide a surplus above the expenditure, to be ready to meet the emergencies of any future war. In that way he was its warmest admirer. The other way was, that of providing this fund for the extinction of the national debt. In looking at its operation in the last sense, he must revert to the conduct of a former minister—he alluded to sir Robert Walpole, who was, he thought, the greatest authority upon any question of finance. He was the man who saved the country at the bankruptcy of the South Sea company, who raised the credit of the country, and established a rate of interest at 3 per cent, instead of the previous rate of 8 per cent. Walpole was a steady and consistent minister; his followers could rely upon his firmness; they never found him gainsaying his plans or his projects. He established a sinking fund, which saved the country seven millions: at the peace of 1763, the saving amounted to ten millions additional; and Mr. Pitt's sinking fund reduced the debt eleven millions, making a total reduction of the debt of 28 millions. What proportion did this bear to the present enormous debt of 800 millions, and what would the rate of reduction of this amount be, assuming a peace of 45 years? He could not think, in this state of things, and with so much distress surrounding them, that, for the pursose of reducing this debt in the manner proposed, they should be called upon to lay by a sinking fund of five millions. He had also the strongest objection to the proposed taxes; that on beer would materially affect the lower classes. But not content with taxing the beer of the poor, their very tea was to have its price augmented. This ratio of taxation was, he presumed, to be carried on until that proud peasantry, "once their country's pride," were driven to live on bread and water.

Mr. *Ricardo* could not agree with the hon. gentleman (Mr. Lamb) that it was desirable to follow the precedent of 1784, at the conclusion of the American war, and to re-establish what he called a sinking fund. It appeared to him that that was the very period to which those who objected to the sinking fund would direct their attention in support of their arguments. What had become of that sinking fund? Had it realized the expectations which had been held out? Were we now less in debt in consequence of its establishment? No—the contrary was the fact; the sinking fund had been converted into facilities, which enabled the minister to contract new debt. It was true we had purchased with it 200 or 300 millions of stock in the market, but had we diminished the debt by those purchases? No, because we had, at the same time, borrowed a still larger sum to enable us to make the purchases. Because, in fact, the moment our expenditure exceeded our income we had a sinking fund in name only; and that part of the taxes which had been paid to the commissioners, and called a sinking fund for the estimation of debt, had been absorbed in providing for a new debt. A sinking fund was only useful—was only what it pretended to be—when a surplus of income was strictly applied to the purposes for which it was established—the extinction of debt. No appropriation of money under the name of sinking fund ever had, and, in his opinion, ever would be constantly applied to this purpose; it would always be considered by ministers as a resource of which they might avail themselves when they were under any difficulty, in raising money by new taxes. In this way had they got rid of the last sinking fund, and the same fate would await that which they now seemed solicitous to establish. The language of the noble lord (Castlereagh) confirmed him in his opinion of the use which would eventually be made of it; for he had told it to the House; he had told them that, by creating a sinking fund we should show other countries, we would not suffer ourselves to be insulted. If the sinking fund were applied to frighten other nations by being applied to the purposes of war, it could not be applied to the payment of debt, if money was to be raised to provide for the interest of money hereafter to be borrowed for a new war, there was no utility in making the people pay taxes now, to furnish the means of a war hereafter. It would be much better to let the money remain in their pockets, where it would not fail to accumulate, and not to impose new taxes until new necessities required them. He had a jealous distrust of raising money beyond immediate necessity, and placing it in the hands of ministers; not the present ministers only, but any ministers responsible to a House of Commons constituted like ours. He allowed that so long as we had, in time of war, a sum under the name of sinking fund which would exceed the peace expenditure, we had what would be a real sinking fund when the peace came. So long, for instance, as we had 10 millions called a sinking fund in time of war, while we borrowed near 20 millions merely for the temporary purpose of carrying on the war, we might in a restricted sense be said to have a sinking fund of 10 millions; for on the return of peace it would, if so applied, operate to the reduction of debt. But this was not the case in the last war; the amount of the sinking fund, instead of being really applied to the reduction of debt, had been applied to pay the interest of new debt. And, after all, the meaning was only this; that if when peace returned we could reduce our expenditure 10 millions annually below our income; we should be able annually to discharge 10 millions of debt, this surely might be done without the mysterious jargon about a fund which answered no purpose but that of delusion. As to the particular taxes, it was unnecessary for him to state his sentiments, seeing he was an enemy to taxation altogether. He could not, however, agree, that they fell on the labourers, because imposed on the objects he consumed. If, indeed, they were imposed on the luxuries of the labourer, they might in some measure diminish his comforts; but the more the articles taxed approached the nature of necessaries, the more completely would they fall on those who employed labourers. It had been said, that these taxes would fall upon the poor-rates; but that amounted to the same thing; for the poor-rates formed, in reality, a fund destined to support labour, however inconvenient it might be to pay it in that way. He perfectly concurred with the noble lord who moved the amendment, in his expressions as to the state of the representation in that House: he could not help expressing his opinion, that the people were not sufficiently represented in it. This might be some satisfaction to the hon. member for Middlesex (Mr. Mellish), who appeared to be pleased the other evening when he discovered a difference of opinion between him and his hon. friend (Mr. Grenfell), as the opinion which his hon. friend was fond of declaring on the subject of parliamentary reform, was diametrically opposite to that which he (Mr. R.) had immediately expressed.

Mr. *Brougham* said, that it had been argued by a noble lord, that if we had not the taxes now proposed, we must have the property tax; that we must have taxes on the poor, or taxes on the rich; but there was another alternative, what would he think of having no taxes at all? As long as we had a clear surplus of two millions a year, it could not be said that there was an absolute necessity for the new taxes. The new taxes were imposed for the benefit of the sinking fund, for the benefit of the Stockholder. And this too, when we had besides a surplus of two millions, to the aid of which might be applied whatever we could gain by retrenchment, which would be found to amount to quite as great a sinking fund in proportion to the debt, as Mr. Pitt thought necessary to establish public credit after the American war. At the time when Mr. Pitt imposed new taxes to establish his sinking fund, the finances of the country were much more distressed than they now were; for even when two millions of new taxes were imposed in 1786, a surplus of only 900,000*l.* was calculated on, which only turned out in the next year to be 600,000*l.* Was the imposition of taxes, which, after all, produced only this miserable surplus, to be compared with the present proposition to swell the sinking fund to five millions? In opposing the present proposition, therefore, instead of going counter, they were acting in strict conformity to the precedent of Mr. Fox, who had also opposed the imposition of new taxes during the war; not only because he had opposed the war, but on account of the nature of the taxes themselves. Though he agreed with his hon. friend, that the taxes on the necessaries of life did not fall ultimately on the labourer, but on the employer of labourers, yet the taxes now proposed were highly objectionable, as falling, in the first place, upon those we should rather relieve,—the labourers; and, in the second place, on those who were still more perhaps at present to be pitied, those who employed labourers. By removing the tax from the labourer to his employer, they were only removing the difficulty one step; for by taxing the funds which employed labour, they lessened the demand for labour, and reduced its reward. On these grounds, he opposed the motion. Without mixing up with the question that of parliamentary reform, he should give the tribute of his assent to the observation of the noble marquis, that if this was the last session of a parliament, or even the first session of a three years parliament, these three millions of taxes would not have been imposed on the people.

The question being put, "That the words proposed to be left out, stand part of the question," the House divided: Ayes, 204; Noes, 90.

*List of the Minority.*

Althorp, visct.
Barham, J. F.
Barnett, J.
Becher, W. W.
Bernal, R.
Benyon, B.
Brand, hon. T.
Browne, D.
Brougham, H.
Callaghan, J.
Calcraft, John.
Calvert, C.
Campbell, hon. S.
Clifford, capt.
Clifton, lord
Colborne, N. W. R.
Coke, T.
Concannon, lord
Crompton, Sam.
Calvert, N.
Crawley, Sam.
Davies, T. H.
Douglas, hon. F. S.
Denison, W.
Duncannon, visc.
Dundas, hon. L.
Dundas, Thos.
Ebrington, visc.
Ellice, Ed.
Euston, lord
Fazakerley, Nic.
Fergusson, sir R. C.
Fitzgerald, rt. hon. M.
Fitzroy, lord C.
Grant, J. P.
Gordon, Robt.
Graham, Sandford
Grenfell, P.
Griffiths, J. W.
Guise, sir W.
Gurney, R. H.
Harcourt, John
Hamilton, lord A.
Hill, lord A.
Honywood, W. P.
Hume, Jos.
Hutchinson, hon. C. H.
Kennedy, T. F.
Leake, W.
Lamb, hon. W.
Lamb, hon. G.
Lambton, J. G.
Langton, W. G.
Latouche, Robert
Lemon, sir W.
Lyttelton, hon. W.
Maberly, John
Macleod, Rob.
Madocks, W. A.
Martin, John
Milton, visc.
Merest, J. D.
Mills, G.
Monck, sir C.
Newman, R. W.
Neville, hon. R.
North, Dudley
Ord, Wm.
Palmer, C. F.
Parnell, sir H.
Philips, Geo.
Philips, Geo. jun.
Phillipps, C. M.
Ponsonby, hon. F. C.
Powlett, hon. W.
Rickford, W.
Ricardo, David
Robarts, A.
Robarts, W. T.
Rowley, sir W.
Russell, lord G. W.
Russell, lord John
Scarlett, James
Stuart, lord Jas.
Stewart, Wm.
Taylor, M. A.
Thorp, alderman
Waithman, ald.
Wood, ald.
Webb, Ed.
Western, C. C.
Wilson, sir R.

TELLERS.

Tavistock, marquis of
Bennet, hon. H. G.

The House then went into the committee; in which, Mr. Brand moved to leave out the clause which imposed a tax on the stock of malt which the dealers might have on hand, both because the circumstances of the times which had peculiarly affected these dealers would justify a departure from precedent in their favour, and because, even without taking the duty on this stock, the tax would produce 1,400,000*l.* the sum required. He also wished the first payment, which was required to be made in October, to be postponed.

The *Chancellor of the Exchequer* said, it would be found, on inquiry, that the greater part, if not all the malt purchased at what were called the high prices, had been sold to the brewers, and that the stock on hand had been purchased at a much cheaper rate. This would diminish the great apprehension entertained from the proposed additional tax; and, under such circumstances, he felt that he could not in justice to the public abandon it. As to the periods at which this tax was to be paid, he intended to propose, that the first payment be made on the 10th of November, at the rate of 2*d.* per bushel; the second payment on the 2nd of December, at the rate of 3*d.* per bushel; the third, on the 3rd of January, at 4*d.* per bushel. The last payment was to be in February and March, 1820, when the remaining 5*d.* per bushel was to be paid up. This arrangement would, he trusted, obviate every inconvenience to the maltsters.

Mr. *Huskisson* defended the principle of the duty, and entered into several calculations, to show that the chancellor of the exchequer was correct in the estimate he had made.

Mr. *Lyttelton* objected to this tax, that it was imposed on the only remaining luxury, if indeed it was not a necessary, of the poorer classes of this country. He then, adverting to the argument which had fallen from one of the highest authority on questions of political economy in this kingdom (Mr. Ricardo), namely, that a tax upon the necessaries of life did not fall heaviest on the poor; observed, that although he might be disposed to admit the truth of that principle, yet in this case, as being upon an article, the very last, as it might be said, before those necessaries, the duty did fall heaviest upon that class. How far such a tax might drive them to the use of spirits he should not now inquire, but it was a subject well worthy of consideration. The chancellor of the exchequer was on the horns of a dilemma—either he wished to raise a tax of at least 1,900,000*l.* on a very small class of the community, or else it was a general tax upon the people, but falling most immediately on the poorer classes. Now, they had been told, that if the hon. members on his side of the House were not selfish, they would propose a property-tax; to which it had been well answered, that no tax at all was necessary. If a property-tax was not proposed, it was owing to the selfishness of the majority of that House, and not to that of hon. gentlemen on that side, who, as denying the necessity of any tax whatever, of course disputed the propriety of a property-tax. If, however, they must be driven to a tax at all, he should prefer a property-tax to one exclusively affecting the poor.

Mr. *Ricardo* explained. He said, that he hoped the House and his hon. friend would understand that he was not contending that the taxing of necessaries was not injurious to labourers, but that it was no more injurious to them than any other mode of taxation. In fact, all taxation had a tendency to injure the labouring classes, because it either diminished the fund employed in the maintenance of labour, or checked its accumulation. In the argument which he had used, he had supposed that it was necessary to raise a certain sum by taxes, and then the question was whether by taxing necessaries, the burthen would be particularly borne by the labouring classes. He thought not—he was of opinion that they would ultimately fall on the employers of labour, and would be only prejudicial to the labourers in the same way as most other taxes would be, inasmuch as they would diminish the fund employed in the support of labour.

After a desultory conversation, the question was put, That the clause should stand part of the bill, and carried.—The chancellor of the exchequer, in moving to fill up the blanks in the clause which followed, proposed that 3*d.* per bushel, in part payment of the new duty, should become due on the 10th of Nov. next; 3*d.* further on the 10th of Jan., 1820; 4*d.* on the 10th of Feb.; and the residue on the 10th of April. On its being understood that this was the clause which provided for taxing the stock in hand, a division took place: For the clause, 175; Against it, 67. On the clause imposing an additional duty of 1*s.* 2*d.* on every bushel of malt, from the 5th of July, making the whole duty per bushel 3*s.* 6*d.*, a division took place: For the clause, 171; Against it, 82. On the clause imposing an additional excise duty of 4 per cent on tea being read, several members spoke against it. At length, Mr. Wilson proposed, as an amendment to the clause—" that 96 per cent be paid on all teas sold at the sale, at or under 2*s.* per *lb.*; and 100 per cent on all sold for more than 2*s.* per lb." The chancellor of the exchequer expressed his willingness to adopt this proposition. The clause as amended was then agreed to, and the House resumed.

CUSTOMS CONSOLIDATION BILL.] The House went into a committee on this bill. On the clause being put, which proposed a duty of 6*d.* per lb. on sheep's wool and lambs' wool, imported from any part of Europe on and after the 5th of October 1819, and from any other part of the world on and after the 5th of January, 1820,

Lord *Milton* said, the question they had now to decide was, whether the country should any longer have that great export trade which constituted so large a portion of its wealth, which vivified its laws, which gave employment to its ships, and energy to its subjects. This was a case which had excited the greatest agitation throughout the country. He held in his hand 20 petitions, and his hon. friend had more, which, though he could not lay them on the table consistently with the forms of the House, he thought it his duty to mention, to show the feeling which prevailed on the subject. Of all the new duties, there was none so impolitic as the new tax upon the staple of England. To such an extent had the chancellor of the exchequer carried this system of taxation, that he seemed to have ascertained precisely what was the minimum of vital air upon which the commerce of the country could exist; but it would be discovered too late that the right hon. gentleman had over-reached himself, and that, instead of increasing the revenue, he had destroyed the trade of the country. He earnestly recommended him to withdraw this most impolitic measure.

Mr. *Western* spoke in favour of the tax. The question now to be decided was, whether the growth of wool in this country ought not, as much as possible, to be encouraged? and whether foreign importations ought not to be discouraged? Some years back the importation of foreign wool into this country was but 3,000,000 lb.; it gradually increased to 7,000,000 lb., from thence to 24,000,000 lb.; and now by the last returns it amounted to 14,000,000 lb. The growth of British wool was of course proportionably decreased, and he hoped that the protecting duty now proposed would have the effect of preventing the increase of these enormous importations.

Mr. *Dickinson* thought that it was impossible to manufacture our woollen cloths without a certain portion of foreign wool, and that this additional tax would have a most injurious effect.

Mr. *Huskisson* entered into a calculation to show, that so large a proportion of this manufacture was consumed at home, that any effect produced by the proposed tax on the foreign market would not be felt. The rate of tax too was so small that it could not be expected to affect the manufactures. Besides, our exports were principally of the coarse and home-grown wool, which was not touched by this tax.

Mr. *S. Wortley* thought this the most detrimental tax that could be imposed since foreign wools must form a mixture in every manufacture of cloths.

Mr. *Sumner* approved of this tax, as a protecting duty to the agriculturists.

Lord *Lascelles* regarded this tax as most unseasonable, impolitic, and injurious. It would injure the manufacturers without benefitting agriculture.

Mr. *Burrell* spoke in favour of the tax. The immense importations of corn proved most injurious to the growers of corn; and the same observation was applicable to wool.

Mr. *Lyttelton* remarked upon the absurdity of laying a tax on the manufacturing interests at this crisis, when the poor-rates were enormously increased. He maintained that it was not a gradual increase of duty, and entreated the House to give to the measure a more deliberate consideration.

Mr. *Philips* said, that the measure would not only prove most hostile to the manufacturing interest, but would also prove, in its ultimate consequence, to be no less detrimental to the agricultural interests of the country.

Mr. *R. Hart Davis* said, that the measure went to violate, in the most direct manner, that policy which the wisest statesmen amongst our forefathers had advised and practised in the most enlightened periods of our history. All that he had heard in support of it might be summed up in a few words, namely, that we were in want of revenue, and that this tax would supply it—that it was necessary to give encouragement to our agriculture, and that this tax would increase the value of our homebred wool.—Now it appeared to him, that if the country wanted an increase of revenue, there were other and better modes of procuring it; and that so far from increasing our revenue, this tax would, by reducing the great staple manufactory of woollens, put out of employ a great body of artisans, whose consumption of highly-taxed articles, such as spirits, sugar, salt, &c. would be greatly lessened, so that a much larger sum would be lost by government, in the indirect taxation, than would be collected by the proposed tax on foreign wool. Added to which this impolitic measure would throw a large body of the manufacturing workmen for relief upon the parishes, whereby the landed interest of the country would be burthened instead of relieved. But it was said, that the great import of foreign wool had lowered the price of our own growth of wools. Let us look back for twenty years, and experience would prove the falsity of this assertion. In that time our imports of foreign wool had more than trebled, yet our own wools had doubled in value. Was it possible for any measure to be more short-sighted than a tax, which discouraged the import of one of the most valuable raw materials of our manufactures? There was no foreign wool, however low in quality, which, mixed with our own wool, did not produce a manufactured article, which, from its very cheapness, would always invite consumption. If rendered more costly, the consumption was lost, and the consequence was, that a less quantity both of foreign and domestic wool was consumed. The subject might be regarded in another point of view. What was to become of the wool which our impolitic taxation would drive from our shores? Must it not be manufactured by other countries, which would enjoy a double advantage over us, first by saving the cost of carriage, and secondly, by the non-payment of this tax, and would not these advantages operate as a bonus to the foreign manufacturer of 25 or 30 per cent, when competing with our cloth in foreign markets.—If this should prove true, there must be a lessened consumption of our own wools, the prices of which would of course decline, and the landholder would at last, but too late, be convinced that his interest and that of the mechanic were the same, and that in this case both would equally suffer.—Upon all those articles which were the great materials of our manufactures, we had always been cautious when a tax had been laid upon them, to allow a corresponding drawback upon their exportation in a manufactured state, and this had always been held till now to be a wise policy, for the cheaper we could afford to sell our commodities, the greater would be their consequent consumption, and we ought never to lose sight of another principle, that the more we imported of the articles which foreign nations could supply us with, the more these nations would take in return of those manufactures, which we were enabled to supply at a cheaper rate than other countries. When Buonaparté was at the head of the French government, he felt it was a wise policy (as opposed to the interests of England), to withhold the raw materials from our manufactures, because he knew that if we had them, our machinery and other great local advantages, would enable us to manufacture much cheaper than other nations. The tax then about to be laid on foreign wool was in a great degree following up the same policy. On the whole review of this question, he conjured the House to pause and consider well before they passed into a law, this most injudicious measure! It would tend very considerably to lessen the commerce of this country, and consequently to throw its workmen out of employ, and whilst it occasioned this injury to the manufacturer, the landholder would equally suffer, and he thought he had demonstrated that the revenue would not be increased. He trusted that we should soon return to sounder principles of legislation, and if this tax should be carried, that in a future session of parliament, its repeal would be called for by the general voice of the people.

Mr. *Evans* felt it his duty to enter his most solemn protest against the present tax.

Mr. *Wilson* assured the House, that when he informed them that he intended to say only a few words, he intended to adhere strictly to his promise. The words he had to utter were, his downright abhorrence of the tax now proposed.

The House divided—For the tax, 106; Against it, 63: The chairman then reported progress, and asked leave to sit again.

## HOUSE OF LORDS.

*Monday, June* 21.

CASH PAYMENTS BILL.] The Earl of *Harrowby* rose to move the order of the day for committing this bill. The noble earl then proceeded to describe the clauses of the bill, as founded on the recommendations of the committees of both Houses. In the result of the inquiry which had taken place, it was thought necessary that the principle of a metallic standard should be adopted. There were different modes in which this recommendation might have been carried into effect. Some considered the subject as theorists, others examined it practically. Those who are of opinion that the Bank, by the power of limiting their issues, possessed a control over the exchanges and the price of gold, could not be insensible to the difficulties and alarm which too sudden a contraction of those issues would create, and therefore must approve of a gradual return to cash-payments. Those, on the contrary, who thought that the abundance of the paper circulation was not the cause of the difficulty, and that gold and the advantage of the exchanges would return when the operations of trade produced a balance in favour of the country, were, doubtless, anxious that time should be afforded for producing this effect. Besides, if a sudden return to cash payments had been prescribed, the Bank would have been obliged to make great increase of its treasure, in doing which the price of gold would have been still further augmented. The bill, therefore, provided for a progressive return to cash payments, by payments in bullion at different prices, at several successive periods.

The Marquis of *Lansdowne* said, he rejoiced to see this bill introduced, not only because through its enactments was to be found the best road for getting out of the difficulties in which the country was involved, but on account of the sound principles of economy and legislation which it contained. It recognized a metallic standard as the only safe foundation for a circulating medium. It proposed regulations which inferred that the value of the exchanges and the price of gold depended upon the state of the currency. It inferred that the Bank, or any persons who possess the means of increasing or diminishing the currency, are invested with the power of influencing the exchanges, raising or lowering the price of gold, and altering the value of every kind of property. If those principles were false, the bill was unnecessary. It would be mere waste paper, and worse than useless. The bill, therefore, sanctioned the great principles he had mentioned, and put an end to the system founded on opposite principles. He hoped the country would never again hear of the theories founded on the abstract idea of a pound sterling as a unit, or a bank-note and a shilling being in public estimation equal to a guinea; on the tendency of gold to fly to other countries where it was dearer, without producing any change of value; and other absurdities of that kind. These theories, which had been so ruinous to the country, deserved to be stigmatized as they were by the bill before their lordships, every enactment of which declared their falsehood. By acting on them, the country had been overwhelmed by an oppressive mass of debt, and grinding system of taxation, all the evils of which were augmented by the fluctuation of value, debts having been contracted at a low price which it was necessary to pay at a high. This measure, he trusted, would not only have the effect of rescuing the country from its dangerous situation, but of placing it on a foundation of security. It was necessary to endeavour, in returning to the metallic standard, to put the country, and the Bank, as a part of the country, to as little difficulty as possible. In this view, the plan recommended to parliament appeared to be attended with every practical advantage. It was calculated to inspire more confidence, and to attain the object desired with less risk and danger than any other. If any thing struck him as susceptible of improvement in the bill, it was that part which related to the payments in bullion. In the original plan it was proposed to compel the purchase as well as the sale of gold by the Bank. If the Bank had been obliged to deliver notes for gold, as well as gold for notes, such a regulation would have kept the circulation in a due equilibrium. If another arrangement, which had been suggested, were adopted, namely, that of keeping certain sums of money ready coined at the mint to exchange for bullion, so that the person applying would not have to wait, he thought it would have the effect of sending a great part of the coin out of the country, as it would on coming into circulation have a higher value than bullion. He therefore was inclined to think that it would be expedient to take a brassage or seignorage from the coin (though to a small amount), to keep it in the country.—Having stated his opinion on these points, he came to the clause which had been added to the present bill, making it lawful for the Bank to pay either in bullion at the mint price, or in the gold coin of the realm, after May, 1821. In this provision he was disposed to concur. The existing law prohibited the Bank from paying any of their notes in coin till the expiration of the restriction; and by this state of the law, that corporation might not be able to get quit otherwise of their accumulated cash. They might thus receive coin for their notes without being allowed to pay it away. He therefore approved of this clause, which authorized the Bank to get rid of the coin in their coffers for internal circulation, if they preferred giving it rather than bullion.—The consideration of the bill now before the House naturally led him to some observations on the financial system for the year, of which it formed a part—a system formed not only for the present year, but he might add, for future years. He entirely approved of the loan made by government for the annual supplies, and of that part of it especially which, without interfering with the effective operations of the sinking fund, borrowed a part of it for the services of the year. What he had to regret in viewing the policy of this measure was, that the system on which it proceeded had not been adopted sooner, as by this means a considerable saving might have been effected to the public since 1816. Nothing could prove this better than the effect which the present loan had produced on the money market, compared with the result anticipated from a different course. Having no real sinking fund but the excess of our income over our expenditure, the wisest course appeared to him to be the making of the nominal sinking fund subservient to the loan. On the practical consequence of the measure this year adopted, and the manner in which it was to be followed up, he had a question or two to put to the noble earl (Liverpool) opposite. He wished to know if a sinking fund of 1 per cent was to be provided on that part of the loan taken from the sinking fund of the year, as well as upon that part of it obtained from the contractors: he did not see the necessity of following the old system, while its principle was departed from.—Having said so much regarding the loan, there still remained for him to make a few observations on the large amount of taxation to be raised, as a part of the new financial system; and here he must say, that, in justice to the country, in justice to parliament, and in justice to the committees which had recommended this bill, the permanent settlement of our finances ought to have been delayed till the effect of the restoration of our currency had been ascertained. He could have wished that an opportunity had been given of judging how far the return to a metallic standard would affect the amount of our existing revenue, and of the income of every individual, before new taxes had been imposed. The great question with him was, whether we ought to have 3,000,000*l.* of new taxes in the present state of the country, and during the progress of an untried experiment respecting our circulation. The particular nature of the taxes was not material to discuss, as in the present state of the country any tax would find its way to every class of the community, and distribute itself equally over the community, however imposed. If parliament were to tax the necessaries of the poor, they must come for relief to the funds of the rich; and whatever was taken from the luxuries of the rich, must to the same amount diminish their power of employing the poor. But while he said this, he could by no means agree, that these burthens would affect no class at all; that they would be so much gained to the revenue of the state without affecting that of individuals; in short, that they were merely taxes in the abstract, and to become substantial when they came into the exchequer. Renouncing, as he did, this doctrine, the only question was, ought we to appropriate in the present circumstances of the country 3 millions of money out of the resources and productive capital of the nation, to create an addition to the treasury of the state? Ought we to reduce our public debt by a sacrifice o the funds that maintained national i dustry? Ought we to deprive the peo e of 3 millions of capital, which would fr tify in their hands much more than in t se of government, to pay a portion o our debt? He thought not. There wer igns and symptoms of a state of things this country which proclaimed the im icy of this system. Besides many othe which he would not enumerate, we sa ot only an emigration of numbers of o people, but an emigration of capital, w ch would be increased by new taxes. He called upon their lordships to say, ether they would choose a moment of much uncertainty regarding our cur cy, to settle the state of the nationa come, when neither the House nor the government could either tell the amount of the sacrifices which the new taxes could occasion to the people, nor the effect they would have on the revenue of the country. The course most consistent with the public interest appeared to him to be, to postpone any new taxes till we had adjusted and ascertained the amount of our existing revenue in the restored circulation, the effects of which we then could measure.

The Earl of *Liverpool* said, that the present bill had met with no opposition, and required no defence. He would only say, with a reference to the general doctrine of the expediency of having a metallic standard, that though he had formerly differed in opinion from the noble lords opposite regarding the excess of paper in circulation, and the necessity of continuing the Bank restriction, he had always maintained that the restriction ought to be removed as soon as possible after the war; that we were never safe till we had traced back our steps, and had returned to a sound currency; that the restriction was only to be temporary, and ought not to last beyond the existence of the necessity which justified it; but he had always contended that the facilities which the restriction gave had mainly contributed to enable us to carry the war to a successful issue. He did not, therefore, commend the system as a permanent one. Having said thus much, he would not go further into the subject. It was a matter of great satisfaction to him, that this most vital question, after an investigation by committees of the two Houses, and after the expression of the opinions of the most enlightened individuals of the country, had been decided consistently with the general opinion of those who had studied or understood it. The noble lord had properly brought forward the other parts of the financial system, and he would now make a few remarks on what he had said. In the first year of the peace, parliament had remitted 18,000,000*l.* of taxes, in opposition to the wishes of government. If this remission had not taken place, the unfunded debt might have been reduced, and the restriction been sooner removed. Such being the case, government was obliged to depend on expedients. The present bill, after a long examination, was thought necessary. He should have wished the whole subject to have been delayed to another year; but as circumstances had ordered otherwise, it was proper to take a full view of our financial situation. The country was entitled to say—" Do not take half measures, make the inquiry about to be instituted effectual, and adopt a general and permanent system." Our general financial system was connected with the Bank, as when parliament proposed to pay up the Bank advances, it brought on the consideration of a greater loan. Government then said, " You see the great efforts that must be made; you perceive the pressure on our finances; tell what is necessary to be done; tell the country what they must bear to place our financial system on a basis of security." To do this, government could not impose taxes by driblets. The people said, " Show us all that you want, propose a connected system, and we will make an effort." If this system were adopted, we should want no more loans, no more taxation, during the continuance of peace. The noble marquis had asked, whether it were intended to keep up the machinery of the sinking fund. There were two questions on this subject which it was very important to consider. He had always said, that effectual sinking fund there was none: there was none beyond the surplus of our income over our expenditure in all its branches. But as long as the nominal sinking fund existed, the country never could tax the government, or the parliament with any breach of faith, although they borrowed to render it ineffective. As long as the nominal sinking fund lasted, the national creditor could have no cause of complaint whatever; and, therefore, the question of the nominal sinking fund, whether their lordships adhered to it or not, could not influence the consideration of the question then before them. Whatever course they might think proper to adopt, the deficiency of the sinking fund ought to be made up. But, in his opinion, it was not judicious to decide the question proposed by the noble marquis at present. It was important to this country that it should look to a surplus revenue; and was a surplus revenue of 2,500 000*l.* sufficient for a debt of 800,000,000*l.*? He did not believe that the extinction of the national debt would be any benefit to the country; but their lordships would not do their duty to themselves or to posterity, if they did not look to some diminution of that debt. There was not a country in Europe which had not adopted our system; and France, Austria, and every other nation had accompanied it with a sinking fund. Should not this country, then, in a period of peace, put its finances upon an equal footing at least with that of all other countries? France had now a sinking fund of 1 per cent upon her capital. A great country must have a surplus of revenue above her expenditure. This was absolutely necessary, not only to enable her to discharge the ordinary expenses of government, but to give her the means of providing for those who were entitled to her generosity and gratitude. The same principles, in fact, applied to a state as to an individual. With this view of the subject, he conceived that the question now to be considered was, whether it would not be expedient to provide a sinking fund of about 1 per cent on the capital of our debt. He should think that, with that provision, the country would have the means, not only of recovering from its present burdens, but of meeting the exigencies of a future war. The amount of taxation now proposed was 3,000,000*l.*, leaving a sinking fund of about 5,000,000*l.* If he were not much disappointed in his expectations of the revenue, at a short period, the country would arrive at that point when we should have a clear sinking fund, above its expenditure, of 8,000,000*l.*; and his opinion was, that if the country had once a clear sinking fund of 8,000,000*l.*, that fund need not increase further, and there would be the means of relieving the country to the amount of 400,000*l.* a year, from the burthens of the present system. We might then look forward to the continuance of peace, or to the renewal of war, without any alarm. He conceived that no taxes could be imposed which would have so little pressure as the present.

The Earl of *Lauderdale* congratulated the House that this measure, and the opinions now entertained by the most intelligent ranks of society, had given the death-blow to those principles which had so long prevailed in the country. Looking at this subject in every point of view, he was one of those who said that it had been much misunderstood. He thought that the directors of the Bank of England had acted a part which did them the highest honour. By the act of restriction, their lordships had, in fact, transferred to the Bank of England what was once considered as the greatest power and pride of the prerogative of the Crown—the right of regulating the currency of the country. The noble earl then repeated the opinions which he entertained on the subject of the currency, and contended that they were correct. He thought that the imposition, of 3,000,000*l.* of taxes, at the present moment, was an act of the grossest injustice. Granting that it was necessary to make a sinking-fund of 5,000,000*l.*, was it not necessary to give the country a little respite from taxation? Nobody who considered the state of our manufactures could think of imposing 3,000,000*l.* of taxes without trembling for the consequences. The best way of arriving at a sinking fund with convenience to the country, was to allow taxation to relax for a moment, in order that it might attain that object.

The bill was then committed.

## HOUSE OF COMMONS.

*Monday, June 21.*

FOREIGN ENLISTMENT BILL.] On the order of the day for the third reading of this bill,

Sir *W. Scott* said, it was quite unnecessary for him to argue, that it was just and proper to preserve a strict neutrality between a country and its colonies, when that country was bound to us in the ties of amity, by existing treaties. When he said a strict neutrality, he meant a neutrality which consisted in a complete abstinence, not only from absolute warfare, but from the giving of any kind of assistance to either one side or the other. The very meaning of the word neutrality implied, that they were to withhold succour from both parties. This was the doctrine laid down by all the authorities on the subject; and he particularly referred to a very eminent writer, Vattel, who had stated his opinion on this point. He said, "In order to view this question properly, one must distinguish what a nation ought to do, if it pretended to be perfectly neutral whilst a war is carrying on between an ally and some other state. Whilst a nation choose to remain in that state, it ought, in every thing, to preserve the most exact neutrality. It ought in the first place, to give no succour, either of troops, or arms, or any thing else serviceable in carrying on war. I say, absolutely no succour." Grotius had expressed himself on the subject in a similar manner. It had in the course of the debate on this question, been insinuated, that it was quite fit this country should afford to the South Americans succour both in troops and arms. This was not a doctrine that ought to be tolerated in a deliberative assembly, although supported by general sympathy, in accordance with the national wishes, and aided and invigorated by feelings which were connected with commercial speculations. To listen to this was to act unjustly to one of the parties, by depriving him, while in a state of amity with us, of that preponderance of power which he would otherwise enjoy. He was far from saying that cases might not arise, in which a third party would be fully justified in assisting the oppressed; but such cases deserved the deepest consideration—and no country could be released from the operation of its neutrality, unless it gave notice that it meant to change its line of conduct. While a country remained in that situation it had no right to practise hostile conduct. If it did interpose it must be in an open manner—by an open declaration of war. In naming these conditions, he described them as the duties of states—because it was the duty and the right of states, and not of individuals, to determine on what might be done during the existence of treaties. There could be no solecism more injurious in itself, or more mischievous in its consequences, than to argue that the subjects of a state had a right to act amicably or hostilely with reference to other countries, without any interposition of the state itself. It was hardly necessary for him to press these considerations, because all the arguments that he had heard on the subject had fully admitted, that it was the right of states, and of states only, to determine whether they would continue neutral, or assume a belligerent attitude—that they had the power of preventing their subjects from becoming belligerent, if they pleased to exert it. In the next place, it was fully admitted, that the government of this country possessed that right, which was essential to its safety and sovereignty. Indeed, he thought some surprise had been expressed when this right was called into question, or made matter of dispute—but the doubt was, in fact, hung upon other circumstances. It had been said, that all governments, and, of course our own, had admitted, in some instances, those individual interpositions—that there were several circumstances, which on the present occasion, ought to have induced the British government to allow their subjects to assist the South Americans—and that, in fact, individuals had embarked in it, in consequence of the government not having prohibited it before. Now, it should be recollected that proclamations had been issued on the subject—and that persons had proffered their assistance in utter violation and contempt of those instruments which formerly warned them against such a proceeding. With respect to the other point, he would again say, that the considerations were such as could not be decided on by individuals, but must be judged of by the state, which alone possessed the proper facilities for judging whether individual interposition should or should not be admitted. Many ancient instances, he knew, could be adduced, where a permission to act as belligerents was given to individuals, without impugning the neutrality of the states to which they belonged. Of these instances, he must observe, that they were most of them of a date antecedent to those times when Grotius, and Puffendorf, and the other eminent writers on the law of nations, had elucidated the subject. In those periods, the law was very little understood, and still more laxly acted on. They all knew that the Romans, when at war, held every state that did not assist them to be an enemy—so that the words *hostis* and *malefidis* were almost synonimous terms. In more modern times, the combination of states, for purposes of amity, was recognised and held to be sacred—they were not fettered by such a principle as that which he had alluded to. In the time of Elizabeth, and up to a later period (and these were the times which gentlemen who took a different view of the question had selected) it was a well known fact, that all Christendom was divided into two great parties the Protestants and the Catholics. In the war between Holland and Spain the principle acted on was this, that the subjects of Protestant countries supported the one party, and the subjects of Catholic states the other. By a sort of tacit agreement, the Protestants made common cause with Protestants—the Catholics with Catholics; but this created no difference between the states to which the parties respectively belonged. In the war between the French and English, at a later period, the Irish Catholics were allowed to serve in the French army, while the recusants who fled, in consequence of the revocation of the edict of Nantes, assisted the English. With respect to them, a sort of agreement was entered into, that they should not be considered as subjects of the states against which they bore arms, although, in fact, they were so. In the case of the Swiss, it was well known that their government lent out troops for the military service of other nations, without hazarding any imputation of breach of neutrality. But these were isolated cases, and did not warrant such a general principle as was now sought to be established. The right hon. and learned gentleman then adverted to the argument urged on the opposite side, that the treaty was opposed to the commercial interests of Great Britain. Admitting the fact, which he, however, did not admit, he contended, that the interests of the country should not stand in the way of treaties, or of the honour of the nation, which was pledged to their performance, neither should the supposed weakness of Spain have any other effect upon our councils, than to induce a greater degree of respect and delicacy in the performance of our engagements. After some other observations which were not audible in the gallery, the right hon. and learned gentleman sat down amid cheers from the ministerial side.

Mr. *Scarlett*, after paying some high compliments to the speaker who had preceded him, observed, that if it either had been or could be made out, that aid had been given to one of the belligerent parties exclusively, the arguments which the House had just heard would be perfectly unanswerable; but as no such case had been made out, he could not help observing that the right hon. and learned gentleman had not come to the conclusion which he had drawn, with his usual clearness and felicity. He had quoted the opinion of Vattel, that it was the duty of a neutral state to prevent assistance being given by its members to either of two belligerent parties, and had passed encomiums upon that writer, which he did not expect to have heard from such a quarter. That writer, though gifted with great ingenuity, was not much distinguished for the solidity of his conclusions, and this circumstance might be accounted for by consideration of the circumstances under which he had written his book. Now, though he could not quote chapter and verse as the right hon. gentleman had done, he believed that this very writer, for whose opinions so much deference was demanded, had somewhere said, that this strict rule of neutrality admitted of some exceptions, and had instanced, as an example of it, the case of Switzerland, which, without any impeachment of its neutrality, was allowed to let out its troops to any power who chose to engage them. If there was any authority in this exception, he could not see that any circumstances had as yet occurred in the conduct of this country, which rendered its neutrality matter of doubt, or which prevented it from having the benefit of this exception. The question now before them was, not whether they should give assistance to either of the two contending parties, or whether they should prohibit their subjects from doing that which, by all their previous laws, they had been allowed to do; but whether they should allow a belligerent nation to demand of them to alter their laws in order to provide for the security of its interest. Now, he maintained, that no belligerent had a right to make such a demand, and argued that, if the present bill were passed into a law, its result would be to prevent volunteers from entering into the service of those who were called the Spanish Insurgents, without a license from the Crown, many of which, as he was informed, had been granted to British officers in the service of Spain, though they had not been granted to those in the service of the opposite party. It had been said, on a former occasion, that if we were determined to preserve a strict neutrality, we ought to give or to deny the same assistance to both the contending parties, and that we ought not to grant to one of them what we prohibited to the other. With this doctrine he perfectly agreed, though he could not discern that we were bound in consequence of it to change the nature of our institutions. If any foreign power were to make such a demand of our government, there was a ready answer which government ought to give to it. It was this—"The control which we possess over our subjects is not so absolute as to permit us to prohibit them from doing one thing, and to enjoin them to do another: we therefore cannot consent to such application as you are now making to us." "Then," says the right hon. gentleman, "no such application has been made to the government as that to which you allude;" and yet, in the latter part of his speech, somewhat inconsistently, he asserts, that such an application might be justifiably made. The right hon. gentleman was certainly more likely to know than he himself was, whether such an application had or had not been made; but, in the last debate on this question, it seemed to be very generally admitted that some hint or intimation from a foreign power had given rise to the present measure. That debate had been conducted with becoming temper; and, whenever allusions to foreign sovereigns had been made, they had been made with as much delicacy as circumstances would permit; not that he was inclined to concede that it was requisite to treat the crowned heads of foreign states with any peculiar respect, when it was requisite to canvass their conduct in that House—no, the freedom of debate required a corresponding freedom of language; but that it was not proper to indulge in any useless or unnecessary virulence against them. The hon. and learned member then proceeded to argue, that the government of this country was not called upon by any treaty between it and Spain, or any strong and imperious necessity, to pass so extraordinary a law as that which was now proposed to the House. The treaty made with Spain in 1814 did not contain any stipulation which could warrant the Spanish government in demanding from the British government any prohibitory measure like the present; and from the absence of such a stipulation, he inferred the non-existence of any necessity for acceding to it. That treaty merely stipulated, that his Britannic majesty should not supply the Insurgent provinces with arms, ammunition, or warlike stores, but did not prohibit any of his subjects from entering into the service either of the Insurgents or of Spain itself. The exportation of warlike stores could be prevented by a proclamation from the Crown; but it was requisite to apply to the two Houses of Parliament before a British subject could be hindered from employing his talents and his services in whatever quarter of the globe he chose.—The hon. and learned member then took a review of the statutes forbidding the exportation of warlike stores. The first was made in the reign of Charles 2nd, and was afterwards enforced by the 22nd of George 2nd, cap. 14, which, in addition to the former prohibited articles, added saltpetre, which was not, under certain penalties, to be exported without a license granted by the king in council. Now, it was worth the while of the House to consider that this prohibition had been relaxed to Spain, while it had been rigidly enforced towards the colonies; and, therefore, as Spain had not been at war with any other power, except her own colonies, since the time that this prohibition had been proclaimed, he wished to know, whether this was acting impartially in the dispute between them. Indeed, he wondered how we could talk of the strictness of our neutrality, while licenses were granted to those officers who were engaged in the service of Spain, and denied to those in the service of the independents, and while arms were allowed to be exported to the ports of Spain, and not to the ports of South America. The right hon. gentleman had then argued, that though our interest might incline us to favour the cause of the colonists more than that of the mother country, we ought to prefer our honour and our good faith to our interest: he (Mr. Scarlett) said so too; our honour and our good faith ought to be preserved free from the slightest imputation, and this could only be effected by our showing the same impartiality to the two parties which were now opposed to each other. We, who had been the first persons to call upon the Americans to revolt; we, who had, in the proclamation of sir Thomas Picton, backed by the signature of a cabinet minister, promised them our assistance and protection if they did revolt, ought not to be the first in taking measures to prevent the success of that revolt; especially as it was well known, that when we offered to become mediators in the dispute, our mediation was acceded to by the Independent, and refused by the Spanish government. We were adding, therefore, a new misdemeanor to those already defined in our laws; not, indeed, by prohibiting foreign enlistment by the wholesale (for that he considered to be a high misdemeanor already), but by preventing our fellow countrymen from promoting their interests in a foreign country. "But, then," say the advocates of the bill, "the change of circumstances has so far weakened the prerogative of the Crown, that it is requisite to have new legislative enactments, in order to revive that part of it which from desuetude has fallen into oblivion;" meaning by this, he supposed, to argue that the Crown had the power of prohibiting its subjects from engaging in the quarrels of other nations. Into that question he would not then enter, though he could not help expressing a hope, that the House of Commons would never add to the prerogative of the Crown, in order to enable it to make our own government more like those of foreign nations, or in order to render it capable of enforcing those niceties in the laws of nations which were hostile to the liberties of mankind. He could not see any reason why we should be so generous as to sacrifice to Spain, not merely the welfare of our commercial interests which we should by enacting the present measure, but also our character for good faith, which was so strongly implicated in it.—He then made a short recapitulation of his former arguments, and informed the House, that he could not feel that apathy which some hon. members did upon the present question: that he could not do so might be attributed to his constitution, and the form of government under which he had the happiness of living; however, so far from thinking that there was any cause for restraining, he thought that there was good cause for indulging the warmth of his feelings upon it.

Mr. *Robert Grant* said, that, could he have seen this subject in the same light with the hon. gentleman who had just sat down, he certainly should not have been apt to vote in support of the present bill, still less to stand publicly forth in its defence, and least of all to select this as the occasion of his presenting himself for the first time to the indulgent attention of the House. So far, indeed, he perfectly concurred in the view which the hon. gentleman and other gentlemen on the same side of the House had taken of the question,—that it was one of vital importance,—that it was one in which the honour and character of the country were most deeply committed,—but he believed they were committed in a different manner and on a different stake from that which those gentlemen had contemplated. It seemed, indeed, clear to him, that the greater part of the reasonings employed by the opponents of the bill involved the most radical inconsistencies; — that their arguments were at war with each other, and at war with the conclusion which they aimed at establishing.

Whatever differences of sentiment might prevail on this subject, there were two propositions, on one of which there was confessedly an agreement of opinion, and on the other no variance could possibly be anticipated. The first of these propositions was, that the treaty made with Spain in 1814, of which so much had been said, was, with all the obligations growing out of it, to be faithfully observed: the second, that if for any reason whatever, whether it were from motives of humanity, from considerations of policy, or from the dictate of principle, the strict observance of that treaty was become impracticable or unadvisable, our proper course was, not to take refuge in a hollow, an insincere, an equivocal observance of it, but to start forth at once into the attitude of open and avowed hostility.—These points being settled, the next question, and that which must supply the basis of all discussion respecting the proposed bill, was, What was the proper construction of the treaty of 1814, and did it or did it not place us in such a relation with Spain, as was inconsistent with the permission of those levies of troops for the war in South America which it was the object of the bill to prevent? And here he found his first example of that inconsistency in the arguments used against the bill to which he had referred. An hon. gentleman (sir J. Mackintosh), in a speech on a former night, which to mention was to praise, had stigmatized the treaty as amounting to a virtual declaration of war against the Spanish colonies and of alliance with the mother country of Spain:—yet it was uniformly the argument of that hon. gentleman, and of all those who had opposed the present bill, that, according to the strictest construction, the treaty required of us nothing more than the maintenance of a cold neutrality in the present contest. These things seemed to him (Mr. Grant) great inconsistencies:—he could not possibly reconcile them:—he could not possibly understand how that could be a declaration of war against the colonies, which yet was consistent with our permitting them to draw entire armies out of our own population, or how, with respect to Old Spain, we could possibly imagine, that a stipulation of close alliance might duly be fulfilled by a conduct of cold neutrality.

On the point of construction, his learned friend (Mr. Scarlett) had ingeniously contended, that the new measures to which the government was pledged by the treaty, must evidently be confined to measures preventing the exportation of arms and ammunition, and not relate to measures directed against the levies for

South America; because, by our law, the crown, which made the treaty, was competent of itself to one of these objects, while the other could only be accomplished by parliament. The learned gentleman's argument was, that the executive government must be understood to have stipulated for that which was in its own power, and not for that which was not in its own power. Now, all this might be very well with respect to the interpretation of the treaty by us; but how did it bear on the interpretation of it by the Spanish government? Surely it should be remembered, that Spain was to read this treaty, not by the light of the law of England, but by that of the law of nations.—Spain knew nothing of the distinctions that might prevail in our municipal code. She knew no other rule of construction but that which public law supplied, and must understand this treaty to imply the same obligations when coming from England, as would fairly be deemed to attach to it, had it been offered her by any other European power.

For his own part, Mr. Grant said, he could not read this treaty in any other way than as an engagement on our part with the government of Spain, that we should remain neutral in the war between that government and her revolted colonies. This was the impression which could not fail to be made on any impartial mind, looking at the document in question as addressed to the common sense and popular feeling of mankind.—It was not necessary to enter into any critical or technical disquisitions respecting the effect of particular terms or stipulations;—the treaty, fairly viewed, bound us to observe a strict neutrality; and, of course, to adopt any measures that might be proper and necessary for the due fulfilment of that purpose.—And here it was not unimportant to remark a distinction pointed out by all writers on the law of nations; namely, the distinction between a voluntary and a stipulated neutrality. A voluntary neutrality was, in its very terms, one from which the neutral might depart at pleasure. Such departure might be very unadvisable, but it was necessarily a matter of option. To break a voluntary neutrality, might be impolitic, might be unfeeling, might be wrong,—as war might be impolitic, and unfeeling, and wrong,—but it did not involve the specific offence of a breach of faith, nor could a deviation from a voluntary neutrality with respect to one of two belligerents, furnish any reason for the breach of a plighted neutrality with respect to the other.

Such, then, was the relation in which this treaty had placed us with Spain; and then two questions arose; first, whether it was consistent with that relation, that we should permit the Spanish colonists to supply themselves with large levies of troops from this country; and if not, then secondly, whether the measure now in question was requisite and proper for the purpose of putting a stop to those levies.

On the first of these questions, Mr. Grant said, he felt himself immediately at issue with the doctrines laid down in the speech of his learned friend (sir J. Mackintosh) on a former night. He paid the highest compliments to that speech, declaring that no member of the British senate, whatever might be his political sentiments, could fail to exult in such a specimen of parliamentary eloquence. Such were its topics and such the style in which it treated them, that it might be compared to a collection of the most beautiful pictures seen by the finest lights. It reminded him of the recorded oratory of a great departed genius; and should the present struggles of the Spanish colonies terminate in their attaining the liberty at which they aimed, it would hereafter be an interesting reflection, that, as the rising independence of the states of North America had been hailed by a member of the British House of Commons in strains of the highest eloquence, so the southern division of that continent, pursuing the same arduous path, had found a champion within the same walls, distinguished by similar richness of style, splendor of imagination, and depth of political philosophy. But, with all this respect for the ability displayed in that speech, Mr. Grant said he must be allowed entirely to dissent, not only from the conclusions at which his hon. friend had arrived, but from the leading positions which he had maintained, and this, though they had been brought forward as standing on the clearest principles of the law of nations.

The question had been argued on three grounds;—on principle;—on authority;—and on practice. Mr. Grant said, he would touch on each; but the first was, in his view, perfectly decisive. It was not necessary to go farther than the meaning of the term neutrality, to prove that the stipulating nation ought not to furnish the opposite belligerent with direct means of implements of carrying on war against the power to whom the stipulation had been given. Hence it is, that you forbid your subjects to supply the opposite belligerent with arms or money; but, how palpable would be the absurdity, if, while they were not allowed to send a single musket, a single barrel of gunpowder, or a single ingot of gold, to the hostile army, they might yet join that army themselves in any force? It had been observed, by a great writer, that the sinews of war were not what they were often said to be, iron and gold, but the real sinews of the hands and arms of brave men:—but, according to this new doctrine, your subjects were prohibited from supplying the South Americans with iron and gold, with arms and subsidies; and yet, the better sinews of war, or rather the very soul of war, the men who were to wield those arms, such men as those subsidies could not purchase,—they might safely supply, and supply (what was a most material consideration in the present discussion) in such numbers, as confessedly should make the whole difference between the certain and speedy success of the colonists on the one hand, and the long adjournment, if not the ultimate failure of their hopes, on the other.

This was not all;—while we might thus injure Spain, we were to be safe from retaliation ourselves. This left-handed neutrality, it seems, though it could not protect *them*, would effectually protect *us*, except in the single point where we chose to make the attack.—Our fleets would be sailing without convoy, our shores would be safe from invasion, our colonies would be protected from capture,—while, in the mean time,our veteran troops ranged under their own officers, were stripping Spain of all her American dominions, were despoiling her of a whole continent;—and, if in any instance, she affected to retaliate, —if she fired even a shot at one of the vessels in which those troops were embarked—Oh, then Spain and not England would be guilty of the breach of neutrality, and would immediately be exposed to all the penalties of war! "Why, Sir," (said Mr. Grant) "what sort of neutrality is this, which, while it operates only as a more subtle sword of annoyance against the passive party, throws an impenetrable ægis over the assailant? A neutrality which completely protects the aggressions of the power who has stipulated to observe it, while it leaves the power to whom the stipulation has been given, only tenfold more exposed and defenceless?—Let the matter next be tried on a somewhat broader ground. Every government, in its foreign relations, was the representative of the nation to which it belonged; and it was of the highest importance to the peace of nations, that government should be so considered. Nations announced their intentions to each other through the medium of their rulers. Hence every state knew where to look to expressions of the will of foreign nations, —where to learn, whether war or peace was intended,—where to demand redress for injuries,—and where to visit injuries unredressed. But all this system was inverted and thrown into confusion, if the government might act in one way and the nation in another.—All this system was at an end if, while we were professedly at peace with Spain, she was to be attacked by a large army of military adventurers from our own shores,—a sort of *extra-national* body—utterly irresponsible—utterly invulnerable,except in their own persons—for whose acts no redress could be demanded of the British government;—who might burn, pillage, and destroy,—then find a safe asylum in their own country, and leave us to say, "We have performed our engagements,—we have honourably maintained our neutral character!"

The last observation which the hon. member said, he would offer on this part of the subject, was, that the doctrine he was contending against, opened a door to the most perfidious conduct on the part of states; and this was forcibly illustrated by one of the very historic facts on which the hon. gentleman (sir J. Mackintosh) had so impressively dwelt on a former evening. The hon. gentleman had exultingly told the House of the 6,000 men whom the marquis of Hamilton had conveyed into Germany to the assistance of Gustavus Adolphus, against the emperor with whom we were then at peace. But the hon. gentleman had omitted to inform the House, that these troops, though nominally raised and conveyed by a subject, were in fact raised and sent on that service, not only with the connivance, but by the order of Charles the 1st; who thus covered with a thin veil of neutrality, an act of immediate hostility. The necessities of that unfortunate prince might palliate such an act; but, whatever might be thought of this as an historical precedent (on which point Mr. Grant would say something presently), it seemed to him that the circumstance was far less remarkable as an instance of the practical application of the rule contended for, than as an illustration of the gross abuses to which that rule was liable.

Thus did this question stand on principle. The next inquiry was, how it stood on authority;—an inquiry the more important, since any one who should have casually heard the eloquent speech he had so often alluded to, might have been apt to conclude, that the most celebrated publicists, without an exception, were in favour of the doctrine which that speech maintained. Mr. Grant then proceeded to examine the opinions of Bynkershoek, on whom his hon. friend had relied as a conclusive and commanding authority. He regretted his hon. friend had not told the House that Bynkershoek distinctly represented the question as one which had excited great controversy;—that, from the *defensive tone* that author employed, it was clear he felt himself in a minority on the subject;—and that he admitted that the government of Holland itself so far differed from him as to have forbidden the levying of troops among their own subjects by foreigners without a licence from themselves under the heaviest penalties;—the state of Holland even imposing that of death. But, after all, what was Bynkershoek's opinion? It was in substance this; that to serve under foreign powers implied a transfer of allegiance,—that, where the laws of a state prohibited the subject from so transferring his allegiance, there the subject ought not to serve a foreign power, nor ought any foreign power to invite his service—but that, where the municipal law was silent on the point, there the subject might lawfully serve in foreign armies, and if he might lawfully serve, he might of course lawfully be asked to serve. Now, whatever might be thought of this reasoning (which to Mr. Grant himself seemed unsound), yet it clearly made the case of England an exception to M. Bynkershoek's rule; since the English law certainly holds the maxim "Nemo potest exuere patriam!" Nay, Bynkershoek himself, in mentioning some nations whose laws forbad the subject from abdicating his country, and which therefore formed fair exceptions to his general doctrine, specifically enumerates the *Angli* among them. Thus, then, it appeared that this writer directly and in terms sanctioned the principle recognized in the present bill, against which he had been triumphantly adduced as an authority without appeal.

The hon. member next examined the sentiments of Vattel; of whom his learned friend (Mr. Scarlett) had justly observed that his opinion was to be received with caution, since, being a native of Switzerland, which for centuries had notoriously permitted and encouraged its people to serve in the wars of foreign states, he must be supposed to have considered the question under the influence of a national prejudice. All this was true;—Vattel was a biassed judge undoubtedly;—but the House should know that his judgment was *against* his bias. He held that every state had the clearest right to prevent the inhabitants of neutral countries from serving in the armies of its enemies. He said, indeed, that it might be prudent not to press this right;—that the nations of Europe were, in fact, in the frequent habit of waiving it;—that they even permitted neutral governments formally to supply an enemy with a contingent of troops;—but that the right of objection still subsisted, and was indefeasible.—And, in either of the two cases mentioned, when was this right to be put in force? Manifestly, when the succour thus afforded by the neutral, whether by the subjects or the government, became considerable—became important,—when it was likely to turn the scale of victory. "For," (said Vattel, speaking primarily of the latter of the two cases referred to, but his argument evidently applying, and meant to apply, to both), "shall I "suffer the neutral, under the protection "of his pretended neutrality, to do me "all the mischief in his power? No! "The law of nature, the law of nations, "obliges us to be just, but does not con"demn us to be dupes."—Mr. Grant next read the opinion of Wolf on this subject, recorded in his *Jus Gentium*. Speaking of the duties of a nation, which had *stipulated its neutrality by treaty* to one of two belligerents (the very case under consideration), that author said, with equal conciseness and clearness, "Qui "neutrarum partium esse vult,......*non "potest permittere ut pars adversa fœderato "suo militem in territorio suo conscribat, "cum hoc perinde sit ac mittere auxilia.* "Similiter, subditis suis permittere ne"quit ut mutuò dent pecunias, cum "hoc perinde esse videatur ac dare subsidia."

On the whole, not only was the weight of authority in favour of the principle of the bill; but not a single authority, nor the shadow of it, could be found, in opposition to this plain, clear, irrefutable position, that, when a neutral nation knowingly permitted the levying of troops in its territory by one of two belligerents to go so far as very materially to sway the fortunes of the war, there such nation was virtually departing from its neutral character, and assuming that of an enemy, and this in the worst manner, because not directly. With respect to the practice of Europe, after what he had already stated from Vattel, he did not know that this need be minutely inquired into. The question was not as to particular instances of connivance;—there might, under circumstances, have been many such;—nations, pressed by war, had often forborne to press their rights against neutrals.—But the question was, Whether the known and uniform practice of Europe had ever established or even sanctioned this principle, that a state, having pledged its neutrality to one of two powers engaged in war, might afterwards permit the opposite belligerent to draw troops from its population to any conceivable extent for the purpose of deciding that very war, without affording the slightest ground of just complaint to the power to whom its neutrality was pledged?—Nothing of the kind could be pretended even for a moment.—The three or four instances that had been relied on, fell infinitely short of this, even allowing them all the weight that could possibly be claimed for them. But the truth was, that they had been brought forward with great inaccuracies in point of fact. Much stress had been laid on the circumstance of James the First's having permitted sir Horace Vere to lead a British force to the assistance of the Protestant princes of Germany against the Emperor, with whom we were then professedly at peace. Surely it was not necessary to inform the House, that those troops were not volunteers, nor led out by sir Horace Vere as a private individual;—it was a force openly and avowedly sent by the British government as such. So that, if this precedent proved any thing, it proved infinitely too much;—it proved—not merely that our government might, without the smallest breach of their neutral character, allow the South Americans to beat up for any number of recruits in this country,—but that they might themselves send any number of troops of the British line to oppose Spain in America, nay, that they might have deputed the whole army of Waterloo, with its illustrious general at its head, on that service, and yet have boasted that they were strictly fulfilling the duties of neutrality.—With regard to the 6,000 men raised by the marquis of Hamilton for the assistance of Gustavus Adolphus, Mr. Grant said, he firmly believed that, if the emperor had not so speedily been overwhelmed by the victories of that great prince, he would have called the government of Charles the First to a strict account for their permission or contrivance of this expedition. But, when it was said, as it had been exultingly said, that these troops went forth without any licence or authority from the Crown, he could not help intreating, that gentlemen would consult the accurate pages of Rushworth on the subject. They would there find, not only that the marquis of Hamilton himself acted under the direct authority of his sovereign, but that each of the officers, 30 in number, employed in recruiting for him in England (and doubtless it was the same in Scotland) was directly and by name licensed to this employment by a commission from the Crown, the commission expressing the particular counties where their respective levies were to be made, and also that they were to be employed in the service of the king of Sweden. And then this was to be brought forward as a precedent for permitting unnamed foreign agents to crimp for recruits throughout the country, which recruits were to be employed, nobody knew in what army, or under whose command, or where, or how!

Another instance much relied on had been that of James the First having permitted volunteers from this country to serve in the armies of Holland against Spain, and having resisted the application of the Spanish government for a prohibition of the practice. Now what were the facts of the case? By the treaty between Spain and England, the English were not to succour Holland, either directly or indirectly, in the Spanish war. It was generally said, however, that, by a secret article annexed to the treaty, or at least by a distinct understanding between the negotiating parties, it was agreed that the stipulation against succouring Holland was to be of no force. This state of things produced the consequence that might have been expected;—a perpetual diplomatic contest between the two governments. On the part of England, the great lord Salisbury resisted the complaints of Spain on various grounds;—among those grounds, he might possibly on some occasion have alleged that England was justified by the general principles of neutrality;—but Mr. Grant said, that having looked over the whole correspondence, he had not happened to light on any passage taking that position. Not that he therefore denied the existence of such a passage;—but this he thought he might safely say, that the correspondence contained no such emphatic or prominent assertion of the doctrine contended for by the gentlemen opposite,—no such *joining issue* with Spain on the principles of public law,—as could at all justify the use that had been made of this part of our history. And, after all, it was to be observed of this and of every other alleged example of the kind, in which nations had differed on a point of public law, that, for that very reason, the precedent proved nothing. Unless the dispute could be shown to have terminated in an acquiescence, and an acquiescence not of prudence but of conviction, the assertion of a rule on one side could be of no greater weight than the denial of it on the other.

Having now completed what he had to offer on the first of the two questions he had proposed, namely, whether it was consistent with our obligations under the treaty with Spain to allow the Spanish colonists to continue their levies in this country, Mr. Grant said, he would more shortly consider the second, namely, Whether the measure now under deliberation ought to be resorted to for the purpose of putting a stop to those levies. On this question, indeed, he might easily be brief; since it was resolved to his full satisfaction by the opponents of the bill. For what was the meaning of all the clamour that had been raised on the subject? What was the meaning of the loud and reiterated complaints respecting the present measure, as being ruinous to the hopes of the colonists? What could possibly be inferred from such representations, except that, without this bill, there was no adequate prospect of checking the levies in question, and that, with this, they would assuredly be checked?—If, then, the object was good, there could be no doubt that this bill, which furnished the only probable means of effecting it was good also. Still, objections were urged against it; and some of them he would concisely consider.—And first, it was objected that this was a needless innovation upon the common law of the country, and that, if it was necessary to prevent British subjects from setting out on an expedition to South America, this ought to be done by the old legal method of the writ *ne exeat regno*. In reply to this objection, the noble lord on the treasury bench (lord Castlereagh) had unanswerably remarked that, if this measure was to be considered as an innovation, it innovated not on our common but on our statute law, the very object of the bill being the repeal of four previous statutes. The remark might be still farther extended; for, in England, at no period since the date of legal memory, had it been left entirely to the common law to prevent the emigration of subjects. There had been a succession of statutory regulations on this point ever since the days of Henry the Second;—directed indeed to different ends, according to the exigencies of the country;—yet furnishing the clearest precedents of the propriety of parliamentary interference in aid of the common law.

Oh, but then, it was said that Spain had no right to expect that we should alter our laws for her sake. Perhaps not; but Spain had a right to expect that, if we condescended to make a treaty with her, we should condescend to keep it; and that we should, if necessary, put ourselves in a condition to keep it. Our Statute-book was covered with enactments arising out of our foreign relations; and what difference could it make, whether those relations grew out of accidental circumstances, or were the result of a treaty voluntarily entered into by ourselves, provided that treaty were agreeable to the law of nations? It was, besides, to be remembered, that an exact precedent for the present measure was supplied by the act to which the hon. gentleman opposite (Mr. Scarlett) had referred; the act for preventing the exportation of arms and ammunition without the royal licence. There, as here, the Crown possessed a prerogative by the common law; and there, as here, you added facilities for the exercise of that prerogative by statute.

Nothing (said Mr. Grant) is more to be reprobated than a mode of argument which has been pursued, at least out of doors, on this occasion;—the case has been represented as a sort of contest between the law of England and the law of nations. Those who so argue, entirely forget one of the finest and most exalted maxims of English jurisprudence, — a maxim which has been quoted by lord Mansfield from the mouths of our most illustrious legal authorities,—our Holts and Talbots and Hardwickes,—and to which he adds the equal sanction of his own great name. It is this, that "the law of nations is a part of the common law of England:"—a noble principle surely!—worthy of the refinement of modern Europe! worthy of that nation which glories in being the guardian of European rights and liberties! But, if this be so, then I assert, that a treaty which is agreeable to the law of nations, is agreeable to the common law of England; if this be so, then I assert, that a statute in aid of the law of nations, is not merely as proper, as legitimate, as constitutional, as a statute in aid of our common law; it *is* a statute in aid of our common law, and cannot be impeached on any general principle which would not absolutely rescind the legislative power of parliament, and expunge the whole of our Statute-book at once.

It is next objected, that this engagement with Spain has never received the deliberate sanction of parliament. The treaty has lain indeed on our table,—it has casually been mentioned, but attention has never been particularly directed to it, at least not to the obnoxious article. This argument, Sir, is a striking example of that inconsistency between the premises and the inferences of the opponents of the bill, to which I have already referred. If the argument means any thing, it means that parliament is not fully bound by the treaty;—but then what is the inference drawn?—that we should break the treaty? No, but that we should *pretend to keep it!* —Let me not be misunderstood; I know that no ill faith is intended by the gentlemen opposite; I well know that we are all equally incapable of recommending a breach of the national engagements; but the effect of the line of reasoning adopted by the opponents of the bill, would inevitably be such as I have described.—In the same manner we are told of proclamations addressed in or before the year 1804, by some of our governors in the West Indies to the inhabitants of Spanish America, inviting them to throw off the yoke of Spain; and it is contended, that we are now basely deserting those whom we ourselves thus encouraged to take up arms. Why, Sir, if this be just reasoning, we are not at liberty to be neutral in the South American contest,—we ought to assist the colonists,—and our treaty of neutrality, as being incompatible with a prior engagement of an opposite kind, is a nullity. But how am I to reconcile this with the universal admission, that the treaty ought to be kept, and neutrality to be maintained? This inconsistency, however, glaring as it is, is not the only one in the argument. For can any thing be more surprising than that proclamations issued by some of our local governors 15 or 20 years ago,—proclamations not only never sanctioned or discussed in parliament, but never known, never heard of, fetched now (according to the very expressions of gentlemen opposite) from the desks of ministers,—that such proclamations, I say, after a lapse of so many years, and after so many changes of fortune, should be held to have a binding, indefeasible, obligation upon us,—while a solemn treaty, duly entered into by persons authorized for that purpose, duly presented to the two Houses of Parliament, ratified by the two Houses of Parliament, should, from the mere circumstance of its not having been considered in detail, be thought to have lost half its force—to have slept itself (if I may so speak) to death—in the short space of four or five years?

Without dwelling on this inconsistency, however,—if it be really meant that the invitations we held out at that remote period to the Spanish colonies to revolt, are obligatory upon us at the present moment,—though those invitations were never complied with, and though, since that time, new events, new wars, new revolutions, have wholly changed the relative positions of all the parties concerned: —if, I say, this be intended, then there is one inquiry which I cannot help making of the hon. gentlemen opposite. Whence came it that the administration of Mr. Fox, in the written instructions they addressed to the commanders whom they sent out to Buenos Ayres in 1807, charged those officers to hold out no hopes to the inhabitants of their being supported by us in any struggle for independence, and even to decline committing this country to a promise, that, should they surrender to us, they would not be restored on the re-establishment of peace? I am correct, I believe, in asserting that such were the instructions, and that they were in fact acted upon; and then, if precedent is to be the order of the day, I at least beg to ask which precedent we are to follow,—that of the proclamations in 1804, or that of the instructions in 1807?

Then comes another head of objection, if it can take that name,—the character of the Spanish government;—a subject, on which much has been said out of doors, and much has been implied in this House. But surely, whatever may be due to the character of Spain, a strict fulfilment of our engagements is due to that of our own country. Otherwise Spain may turn round upon us and say,

> ——"Si ego digna hâc contumeliâ
> "Sum maxime, at tu indignus qui faceres
> "tamen:"—

"You call me base and abject and degraded; but if, after having plighted to me your neutrality, and while professing to keep that promise, you keep it only to the ear,—if, safe in your pretended neutrality, you take advantage of my weakness to overwhelm me with your veteran troops, and to despoil me of half of my dominions,—and all this, while you are affecting a more than ordinary feeling for the rights, the interests, and the honour of nations; then, however base and abject and degraded I may be, I shall have the consolation of knowing that there is at least one European government, which has sunk itself to a point so low as to incur the just reproaches even of the degenerate kingdom of Spain."

Mr. Grant then observed, that the argument founded on the injuries alleged to have been recently committed by the Spanish government, had the same fault with most of the arguments against the bill; it proved too much. If the treaty was void *ab initio*, it should be so declared;—if it was not fit to be observed, it should be broken;—if it had already been broken by Spain, it existed no longer;—all these were consistent inferences;—but it was not consistent to lay down these premises, and then to maintain that the treaty should be kept. And here, he said, he would conclude what he had to offer on the immediate objections to the bill; but he could not sit down without noticing another class of arguments that had been powerfully urged during these discussions;—they were arguments addressed either to our national interests or our feelings.—And first, as to our commercial interests, if the general views he had submitted to the House of the subject before them were at all just, it was clear that commercial considerations could here have no weight; and we ought to be even jealous lest the high regard which we cherished, and justly cherished for the interests of commerce, should too much influence us in deciding a question, which was one of pure justice. Of the patriotism and enlightened views of British merchants, the highest opinion was to be entertained; yet the experience of centuries had been thrown away on us, if we could forget that commerce, which, in its proper sphere, ever proved the friend of human liberties and happiness, was but a very questionable counsellor in matters of state. An extreme instance might be found in the case of these very South American colonies. Of the regulations under which they had suffered so much, if one half was to be ascribed to a spirit of tyranny, a misplaced spirit of commerce was answerable for the other. But an appeal was on this occasion made, not only to our commercial, but to what, if possible, we held still dearer, our military interests. It was said that our disbanded soldiery would find employment in the South American war, and would at the same time learn to sympathize with brave men struggling against tyranny. Sir (said Mr. Grant), the services of our soldiery have been great, and would cheaply be rewarded at any expense, short of the sacrifice of that national honour which they have so gloriously maintained, and the breach of those treaties which their victories have been the means of establishing. As to sympathy with freemen struggling for their rights, I trust our martial countrymen have not ill learned that lesson already; but let us beware lest the South American war should be apt to teach them other lessons. All authentic accounts represent that conflict as a *bellum plus quam civile*, a civil war raging with more than the average inflammation of civil fury. It is recorded by historians, that the army of count Mansfeld, when engaged in the cause of the Bohemian liberties (and a noble cause it was), unhappily acquired habits of license and brigandage, which, from their example, deeply infected all the military proceedings of that military period. I am aware, that British officers are too well schooled in the principles of humanity to forget them, even amidst such scenes of rapine and bloodshed as are said to be too common in South America; but I much fear that our gallant soldiers may not be equally proof against the contagion. Then, as to their acquiring a love of liberty, those who represent the system of standing armies as unfavourable to liberty, are apt to consider it as an important preservation against this evil, that the armies whom war calls forth, should be disbanded on the return of peace, and the soldier subside into the citizen.—I would, therefore, ask those who profess, and, I doubt not, profess most truly, a peculiar jealousy of standing armies, whether it can be desirable that our soldiers, instead of being re-absorbed into the bosom of the pacific part of the community in time of peace, should be still kept in a state of separation; nay, that, for this purpose, they should be sent to serve as mercenaries in foreign armies, and never allowed to intermit even the immediate and active pursuit of war?

So much, Sir, for the appeal to our interests on this occasion: there has been a still stronger appeal,—one to our feelings, —our sympathy for brave and oppressed men, committed in a desperate conflict with their tyrants.—Sir, I should be strangely false to all the principles which have been inculcated in me from my youth up, if I could be dead to such a consideration. If I have not felt in such entire unison with the Spanish colonists, if I have not yielded them so full a heart of sympathy as many other persons, it has been from a doubt, whether the largest and perhaps the most interesting part of the South American population,—I mean the Indians,—have any thing to hope from the proposed change. But, in truth, all this is beside the question. If the light in which I have considered this subject be at all correct, then it will, I am sure, be conceded to me that we are absolutely shut out from all such considerations of feeling as I have described. We have but one plain principle to act upon—the faith of treaties. Such is the view of the case taken by the supporters of the bill. It is not that we are insensible to the claims of sympathy,—it is not that our bosoms do not beat to the high sounds of freedom and national independence with a pulse as true as those, I doubt not, of the hon. gentlemen opposite; but it is that we feel, or think we feel, the force of still stronger and more imperative claims,—it is that we hear a still more sacred and authoritative voice calling upon us to forbear!

Should we, however, think proper to assist the colonists, from whatever pure feelings we may act, I am afraid; and, in a case where the national reputation has been so much dwelt upon, this is a point of some moment—that we shall have the credit of being swayed by motives less elevated. In the present most important crisis (and I really think it such), it is natural to look back to a former very eventful period of our history, I mean that of the revolt of our own colonies. France assisted the colonies in that attempt; she assisted them, making the loudest professions of her hatred of oppression and her sympathy with gallant resistance.—Her famous manifesto of 1779 abounds with sentiments of this nature, as noble and as high-sounding as any that we have heard on the present occasion. Sir, it is well known that such sentiments were then sincerely entertained by many individuals of the French nation, and I am far from denying that they might be entertained by some members of the French government. But has France generally had the credit of having acted from the disinterested views she professed? On the contrary, has it not been usual to mark her policy on that occasion as most ungenerous and selfish, and even to represent the evils she has since undergone as scarcely more than a just retribution for her conduct? To avail herself of the misfortunes of a friendly power for the promotion of her own interests, to seize the occasion of dismembering the dominions of that power,—to increase the difficulties of that power by making war upon it in violation of all treaties,—and then to veil her cupidity under pretensions of the most exalted kind,—could she possibly have acted worse? Yes, in one respect she might have acted still worse; if she had done all this, affecting to observe that neutrality which she was violating, conniving at levies which she dared not avow, evading obligations which she professed to respect; thus accomplishing her object while she was avoiding the retaliations of England, and setting our Hoods and Rodneys at defiance, and perhaps concluding the farce by kindly condoling with us on the loss of our colonies.

The same passage of our history presents us with another circumstance still more full of interest at the present period. Spain, as well as France, ungenerously assisted the British colonies in their defection. This was thought surprising in a power possessing such extensive colonies of its own on the very same continent; and, long before the occurrence of the recent events in South America, probably many of us, in reading the history of the part taken by Spain in the American war, have paused to wonder whether an occasion of retaliation would not one day be afforded to this country, and to consider what use would probably be made of it. Posterity will peruse that eventful history with the same feelings, with the same curiosity; they will mark the injurious policy of Spain, and will then anxiously hurry forward to see whether England did not find an hour of revenge, and how the opportunity was employed. That hour is now arrived! Forty years, I believe I might say forty years to a single day, have elapsed, since Spain publicly declared herself in favour of our revolted colonies. Forty years have brought you into the very position of the power that so injured you; she is distracted with troubles, her own American colonies have revolted, and you are bound to her by treaty;—fuller means of retribution could not be afforded, and it is for this House now to determine, what species of retribution shall be resorted to!—It is for you to decide, what sort of revenge it will best befit this great and renowned and generous nation to take on her ancient enemy!—what sort of vindictiveness is worthiest of her feeling, her interest, her honour, and of that justice which she deems paramount even to all these!—I will not waste a word more on such a subject;—this only I will implore and obtest the House, that, whatever part they adopt, may be plain, explicit, and decisive.—If the blow is to be struck against Spain,—if she has forfeited all right to your forbearance, then tear the treaty into tatters, and denounce the Spanish power as an enemy. But, if you conceive your engagement to be binding,—if you are satisfied that neither the solicitation of warm feelings, nor the prospect of future advantage, nor the memory of ancient wrongs, can relax the force of that sacred obligation,—then resolve to fulfil your promises strictly, construing them not with technical nicety, but with a free and noble spirit. In a word, it seems to me that there are but two plain paths to be pursued; my objection to the course recommended by the opponents of the bill, is, that it coincides with neither.

Lord *Nugent* contended, that the hon. gentleman who spoke last had not touched the main strength of the argument of the opponents of the measure. The treaty of 1814 could only bind the Crown of this realm according to the laws of the land at the time when that treaty was signed; and Spain knew, or ought to have known, that in England a power unknown to despotic states existed, of limiting even the prerogatives of the king, or at least of confining them within the bounds of the law. It was said, notwithstanding, that a treaty made five years ago, and not heard of until to-day, was binding not only on the sovereign in his executive, but upon parliament in its legislative capacity; but it did not engage the House to enact laws to thwart the genius of the people, and to give a forced direction to their energies. It ought never to be forgotten, that we were now talking of a revolt which we had been the first to excite: in 1797, we had first unfurled the standard of independence in South America, and a few years afterwards, in a treaty with Spain, we had most basely deserted those rights which we had been so active in inducing the sufferers to assert. It ought never to be forgotten, that the very arms employed in accomplishing the work of tyranny in New Spain had been procured from British manufactories; and three years ago, in Spain, he had seen a brigade about to embark for Mexico, every man of which was furnished with a musket with the Tower mark: the disgust with which he beheld the crown and initials of his sovereign upon those instruments of the most foul and bloody tyranny could not be described. Much had been said about neutrality and the necessity of preserving the balance; but how had that balance been preserved? Was it by sending 36 ships from the Thames to transport arms, troops, and stores, to the royalists? Was it by fitting out ships of war to protect on the coast of Mexico the conveyance of the precious metals of Spain? If the doctrines of neutrality were applicable at all, they were applicable at all times, and to all countries; and if so, why was this great principle of national law never before asserted? Why was it not acted upon in 1813, when British officers were serving in the armies of Persia against Russia? Why not in 1816, when British officers were marched to the frontiers of Portugal, to repel an invasion which was threatened by Spain? In future, in the event of a war between Spain and Portugal, it would be compulsory upon this government to recall marshal Beresford and the British officers under his orders in the service of the court of Lisbon. Against South America only was this doctrine enforced. He could not help examining the claims which Spain had upon us for this exclusive preference. He would not go over the indignities we had suffered from her since 1810—the thanksgiving for her deliverance from heretics, and the decimation of the most able and honourable members of the Cortes: men who had been raised almost to the rank of martyrs in the cause of their country, who had been persecuted by a tyrant, whose hatred was the best tribute to their virtue. He would inquire, shortly, how she had preserved her commercial good faith. It was known that Biscay had been governed for ages by its own fiscal regulations. British merchants had been established and protected there for nearly 400 years; but, for the purpose of aiming a deadly blow at the trade of this country, Ferdinand had even violated the constitution of his own province, and the commerce was given to the Philippine company, a bankrupt establishment. What respect had Spain paid to the treaty for the abolition of the slave trade north of the line? For a time she might be bound to her engagements by a mercenary charity; but the moment that tie was removed, she would again commence her career of faithless cupidity. The noble lord then, alluding to the present state of our commercial relations, observed, that as a sample of the export trade, it would only be necessary for him to refer to the returns which an hon. friend of his had lately brought before the House, by which it appeared, that the exports to one of these provinces, to Buenos-Ayres alone, were above 300 per cent more than those to Portugal and Spain altogether. If the bill was to pass into a law, the consequence of it would be fatal to our commerce, and destructive to our character, unless people should learn what was the distinction between a British law and the spirit of the British people; but that the petitions against it, which loaded their table, and the voice of the whole nation, (a voice excited by no arts of popular delusion), would best evidence; and he mentioned this to prove that the spirit of the people was averse to the measure. He hoped, as an Englishman, for his own sake, and for that of his country, which he feared would soon have to repent bitterly many things that she had been laying up in store for the destruction of her own liberties; that even in South America, the distinction would be felt between a British law, and the spirit of the British people.

Mr. *J. H. Smyth* said, he had listened to his hon. friend who spoke last but one with very great admiration; an admiration, indeed, not accompanied with much surprise or wonder, because he was previously well acquainted with his hon. friend's eminent talents. If, however, he now differed with him, it was because it appeared to him that this bill was as little called for on any grounds of neutrality, as it was hostile to the ancient policy of this country. Much had been said as to assisting two nations; and Vattel had been referred to: the question was, whether a belligerent was not at liberty to enlist troops in the territory of a neutral? On referring to the chapter which had been cited in Bynkershoeck, he thought some confusion had occurred to his hon. friend who spoke last but one. The argument of that author was, "if a belligerent power be allowed to exercise commerce in a neutral country, why should she not hire troops also?" With respect to the treaty of 1814, he owned he must protest against that novel doctrine, that a treaty entered into by the Crown was to be obligatory on parliament. It was true, indeed, that the Crown had a right of entering into such engagements; but were they, therefore, to be considered as binding on their conduct? He apprehended the object was, to give Spain an auxiliary force to carry on her operations against her colonies; but because such might be the object, was parliament bound to carry it into execution? He objected to this bill, first, because it was unnecessary; secondly, because it was unprecedented—for, in looking into history, he found no precedents for it: or rather, he should say, that he had found one case extremely similar to this, but it was one of resistance to an application from the court of Spain, to prevent our subjects from enlisting under foreign banners, against that power. He could not but think, from the circumstance that no precedents were to be found for it, that the principle of the bill was not bottomed on the law of nations. So many instances, on the contrary, might be adduced of subjects of this country having entered into the services of belligerents, with whom we were at that time at peace, that it was unnecessary to quote them.

To mention only one—the case of the great Marlborough: he began his career under one of the most celebrated captains of his age, the mareschal Turenne, and with a commission from Louis 14th: he served against a power with whom we were at peace, yet no remonstrance was ever made by it upon that account. He objected to the bill in the third place, because he thought it any thing rather than what it professed to be—a neutral measure. It appeared to be, under the mask of neutrality, an act of hostility to the colonies, and of favour to Spain. What, then, was the object of the bill—to assist Spain or the colonies? Could there be any doubt? The conduct of ministers must be taken to be expositive of their intentions. It was any thing but a measure of neutrality: under that disguise, it was calculated to repress the independence of America—to extinguish that flame of liberty which it had ever been the policy of a country to cherish, ever anxious to assist liberty against oppression. His hon. friend had referred to the sanguinary contest now unfortunately carrying on in South America. Those excesses were not to be justified, indeed; but they were rendered but too natural by the measures pursued in regard to the parties. Could any one doubt that it was of consequence that America should continue free? or that her commerce was of value to us? or that the trade of the revolted colonies, as they were called, was at present highly favourable to us? The hon. member proceeded to show, that under present circumstances there must be some persons to whom the habits of peace were not congenial; and others, dissatisfied from more questionable motives, with their country, who were devoted to disturbance and agitation: he could not see, therefore, why, by the present measure, they should pen up the peccant humours of one of these parties, or close up the field of heroic enterprise to the other—a field of war in the most glorious of all causes. He then entered into a rapid review of the previous conduct and wishes of Spain, expressing his conviction that she was not entitled to the favour she now claimed of us, in soliciting the passing of this bill. Considering that there was nothing to justify it in the law of nations, in the law of justice, or in the principles of political conduct, and considering also that it was directly adverse to the ancient policy of the country, he should give his vote against it.

Mr. *Shepherd* contended, that the measure was called for by the law of nations. nothing but an effectual prohibition against both parties could in the present case, secure a course of complete neutrality. From the very strong feelings in favour of the colonies here, a permission to enlist for both sides would be the exercise of the strongest partiality to Spain. Unless this measure passed, there was no penal or vindictatory part to the law empowering his majesty to prevent his subjects from enlisting with the South Americans. The relations of commerce did not depend on mutual friendship, but mutual interests. But even if the commercial interests of the country were endangered, by adopting the line of conduct which honour pointed out, could there be any hesitation in making the choice? But the treaties with Spain bound us, from the circumstances under which they were contracted, and their real spirit, not to afford any assistance to her American colonies. Great Britain had never yet been accused of a breach of national honour, and he should be sorry (notwithstanding the prejudice which he was conscious prevailed against her in these countries) that an occasion for it should now be afforded to Spain.

Mr. *Granville Vernon* rose and said:—Sir; I have ventured to intrude myself on your attention, partly because my hon. friend (Mr. R. Grant) has intimated, with some truth, that the arguments of the opponents of this bill are various and inconsistent with each other, and I have therefore thought that it was important to record distinctly the grounds of my dissent, which would not be adequately implied from a silent vote: partly also, not merely because I feel strongly on the question, although I admit that to be the fact, since that would have led me to apprehend that I should not do justice to that feeling; but because it seems to be an opinion current among the supporters of the bill, that whereas they perceive such a feeling strongly arrayed against it, they may assume that the amount of argument opposed to it is proportionally small. I consider this to be a very illogical inference. I am confident that on this occasion our instincts are not at variance with, but in furtherance of our reason, and that the present is one of a multitude of cases in which the maxim is verified, "nunquam aliud natura aliud sapientia dicit." I am conscious, Sir, that, in addressing you, I labour under two great disadvantages which under other circumstances might have sufficed to deter me. In the first place, I have to follow the very eloquent and impressive speech with which my hon. friend has advocated this measure; and secondly, I am aware that much of what I may have to urge can only be the faint echo of that most powerful, most eloquent, yet most argumentative speech, with which an hon. and learned gentleman (sir J. Mackintosh) delighted the House on a former night, and which was, to use the language of an eminent modern poet,

> " As rapid as deep, and as brilliant a tide,
> " As ever bore freedom aloft on it's wave."

In considering the present bill, I deem the means more objectionable than the end. The view which I take of it, does not lead me into any considerable conflict in point of principles with my hon. friend and the other supporters of the measure. The grounds on which they propose to rest it, are substantially two: first, on the propriety of investing the executive government with the complete control of the services of the subject; secondly, on the duty of preserving a strict neutrality between the contending parties in South America. I fully admit both these principles, and I rest my case on that admission. I concur with my hon. friend in his premises, but I follow them to a directly opposite conclusion. First then, I allow that our law ought, but I affirm without fear of contradiction, that our common law does prohibit the subject, from qualifying in any degree his allegiance, or transferring his services to any other state, or person, or aggregate of persons. It is a misdemeanor at the common law to do so, or to incite or engage others to do so. But then, the hon. gentleman who preceded me (Mr. Shepherd) considers the common law as a mere *brutum fulmen*, as inefficacious in this respect. This is to malign and libel the common law. He talks of a wrong without a remedy. The very essence and meaning of the common law is, that there should be no wrong without a remedy, and as it is founded on common sense and the principles of our constitution, it does not admit of any evasion. It knows no such quibbling distinctions as that which applies to the statutes which this bill very properly seeks to repeal. The common law considers it an affront and an injury to our own sovereign to accept military or civil service under any other authority. So far as the present bill goes to constitute that an offence, it is declaratory of the common law, and so far superfluous, and therefore vicious; but so far as it proceeds to mend and botch the common law, it is repugnant to the best principles both of our law and our constitution. I allude particularly to the three clauses, the first of which requires bail with the alternative of imprisonment from persons going abroad " with the intention" of serving, &c.; the second assigns the discretionary power of arresting any ship in any British port throughout the world to the Custom-house officers, the lowest agents of government; and this if any one person shall be on aboard " having that intention," though without the knowledge of the captain. It is needless to insist on the vexation which may ensue to our commerce from this power, which as the bill was brought in, was liable to be exercised on the vaguest latitude of surmise, but which I procured to be altered in this respect in the committee by the introduction of a clause requiring information upon oath. It may be curious to inquire how this new-fangled principle can be acted upon, or what proof can exist of a bare intent. The third clause respects the penalties to be inflicted on captains having on board knowingly any person with such intention. Insomuch as these clauses go to punish offences before they are committed, I think them both vexatious and unconstitutional. They are a kind of tumor or morbid excrescence on the body of our common law, calculated to sap it to the vitals. To what purpose are they inserted? A right hon. gentleman on a former night said, because otherwise persons will commit the offence, and the punishment will only follow, and so come too late, and the hon. and learned gentleman who preceded me says, because otherwise the penal and vindicatory part of a law will be wanting in this offence. I protest against such doctrines. There is the same process of outlawry, and the same range of punishment upon conviction in this case as in every other misdemeanor in the code of our laws. If the guilty person has no property and continues expatriated till his death, what signifies his impunity? Would not every other offender be in the same case? If he returns, the arm of the law awaits him. In the case of murder it is no compensation to the deceased that the murderer should be punished; but the object of his punishment is to deter others. With the exception of the power of holding to bail for breach of the peace and for good behaviour, there is no trace in our jurisprudence of the preventive and suspecting policy of the present bill; and that power is applicable to the evil now complained of. Moral prevention is the only principle which is consistent with rational liberty, and that is from the fear of punishment. I confidently affirm, that the object of punishment is not, as has been contended, vindictive, but preventive; at least in a humane and Christian country. The penalty of fine and imprisonment operates as much to deter from this offence as from any other, and I do not see what peculiarity attaches to it to distinguish it from others of the same class, except that whereas the form of indictment runs generally, that it was done "against the peace of our sovereign lord the king, his crown and dignity," the offence in question seems rather directed against the peace of his Catholic majesty, his crown and dignity. This is "the head and front of their offending," and I cannot admit that this constitutes a sufficient reason for introducing these vexatious and dangerous preventives which we decline to adopt in the case of other more heinous offences, more nearly affecting ourselves. With respect to the fleets and armies which the hon. gentleman has alluded to as filling our ports and parading the streets of the metropolis, I can only say, that I doubt whether any one has seen them but, to borrow against himself an allusion of the very eloquent president of the board of control, I suppose these are Knightsbridge regiments which furnish armies in disguise. However, if such did exist, without doubt it would be a flagrant insult to our sovereign, and a direct breach of the peace, which would subject all the parties concerned in such acts to immediate indictments, and to be held to bail. The bill has no effect upon these cases. With regard to offences actually committed within its jurisdiction, the common law is perfectly efficacious. It is only for the suspicion, and presumption, and anticipation, of guilt that the extraordinary provisions in question are desired.—It is not, then, only on the ground of national feeling, or national policy, that I oppose this bill, but on behalf of our jurisprudence and of our constitution. The second principle to which I have adverted as one in which I concur with the supporters of this bill in the duty of preserving a strict neutrality. But this is effected when our laws preserve a perfect impartiality, operating with equal efficacy upon both parties. At present, an unfair advantage is given by the particular words of the existing statutes on this subject. That construction was evidently unworthy of an enlightened jurisprudence, being a mere quibble certainly not within the contemplation of the framers of the statutes. Perhaps it may be questionable, whether that construction is a sound one; but, at any rate, by the repeal of those statutes, our impartiality would be restored. I had once thought of proposing their repeal, but I am sure that the committee for the revision of the capital part of the penal code would not have terminated their labours without a recommendation to that effect. I feel confident of this, because it is conducted under the auspices of an hon. and learned gentleman (sir J. Mackintosh), who exhibits a rare union of qualities which fit him for such a function, of zeal tempered by prudence, of feeling regulated by judgment, and of perseverance and assiduity, rendered still more effective by his brilliant and commanding talents.—While I am on this topic, I will remark, in passing, that I am persuaded that ministers have profited considerably on this question by the accidental injustice of the operation of these statutes. Many persons are led to support the present measure from the general admission that the present state of the law is not neutral, and they do not nicely scrutinize how much alteration is requisite to restore the balance. In respect to these statutes, it is material to observe under what circumstances they were passed. It appears that excepting the statute of James 1st, which had other objects, no similar statute law existed previously, and up to the 9th Geo. 2nd, the common low had always been esteemed adequate both to preserve our neutrality and to protect the Crown from any diminution of allegiance. The 9th Geo. 2nd was passed after a speech from the throne acquainting the House with the machinations of the Jacobites, and the expediency of protecting the recent pacification of Europe. It is obvious that it was not proposed by that statute to manufacture on the sudden a new offence into a capital felony, or to create a *malum prohibitum*, so highly penal: but whereas at that conjuncture the offence which was at common law a misdemeanor savoured very nearly of treason, it was intended to make the punishment commensurate with the guilt. In truth, though these subjects did not intend to serve directly against England, they were very effectively employed against her allies. The next of the two statutes, 29th Geo. 2nd was still more manifestly of a temporary design and character; for it only prohibited from serving as officers under the French king. This was on the eve of the Seven Years War. Was it, then, no offence to serve as an officer under any other state than France, while it was a capital felony to serve as a common soldier under the same state? Let us consider the particular crisis at which it is attempted to reinforce the common law in the prevention of this offence. Is it not a period when it would be expedient, instead of impeding emigration, to open as wide a vent to it as possible. If there is any characteristic of the times more pregnant with alarm than another, it is the overcharged state of our population. This springs partly, no doubt, from the unhappy system of our poor laws; but the evil is greatly aggravated by the transition from war to peace. The country was already glutted with a pacific population hardly able to maintain itself by the exertion of honest industry. What must be the consequence of throwing upon it a surplus of military population from our disbanded fleets and armies, who can ill-accommodate themselves to the habits of industry and the arts of peace? They will find it too difficult "to turn their swords into ploughshares and their spears into pruning-hooks." I see no motive for desiring to keep pent up at home, these elements of turbulence and convulsion. I am aware that I should pursue a more popular course by describing these persons as noble spirits thirsting for fame, and eager to promote the cause of freedom. But I cannot really view them as generally actuated by such motives. I am reminded on this subject of a humorous allegorical story related in Boccalini's advertisements from Parnassus. He describes the public gardeners, by which he means to typify statesmen, as petitioning Apollo for some means of clearing their garden of its noxious and useless weeds. He expressed his willingness to comply with their request, but declared his inability to suggest any criterion by which they might be separated from the valuable herbs. The gardeners answered, that the best mode would be to grant to them the instruments, drum, and trumpet, at the sound of which all such plants as took delight in dying would speedily follow them and so perish, and the garden would be ridded of its weeds. But whether gentlemen are disposed to view these persons as adventurers in pursuit of gain, or as courting active employment in pursuit of glory, it would be in the one case impolitic, and in the other unjust, to restrain them unnecessarily from the attainment of their object.—But it is urged, that the consequence of this mild state of our laws would be injurious to Spain, and that she would therefore be entitled to complain. She might complain of the injury; but she could have no ground to accuse us of injustice. The greatest part of the argument in favour of the bill arises from the misconception of these two ideas, from the confusion of injury with injustice. Many circumstances may be inherent in the constitution of one country which may produce an injury to the ruling power of another, but of which no claim of justice could require the alteration. For instance, the liberty of the press in this country, the freedom of debate in this House, is probably very injurious to Spain, and to every other despotic government; but is she therefore entitled to call upon us to stifle that freedom, and to abrogate that liberty? But my hon. friend has argued, that as Spain is not cognisant of our constitution, she will look to the law of nations, and claim at our hands such proceedings as she may find dictated by the jurists. I must protest against this monstrous proposition. Are we then to take the dicta of Puffendorf and Vattel as the guides of our jurisprudence, or to new model our constitution because an arbitrary monarch, with these glosses to assist him in its construction, has mistaken it? We ought not to abandon the principles of our institutions in compliance with any abstract theories. If, not through any partiality of our laws, not through their inefficacy, but from the accidental prevalence in favour of one party of the incentives of interest and feeling, Spain is liable to suffer any injury in her South American contest, I do not hesitate to avow that I should rejoice at it. On what grounds can Spain claim of us such an alteration of our laws as should more effectually prevent British feeling from flowing in its natural channel, and British speculation from pursuing its natural advantages? By what motives can she enforce such a claim? I know but four grounds which can entitle any power to interfere with the legislation of a foreign state, namely justice, interest, fear, or favour. With respect to any claim of justice, I trust I have disposed of it by showing the existence of equal laws in the ordinary constitutional spirit of our jurisprudence, which prohibit assistance to either party.—Before, however, I quit this part of the subject I wish to address a few observations to the argument of my hon. friend founded on the treaty. The treaty of 1814 agreed to prohibit the subjects of this country from furnishing the South Americans with arms, or other warlike articles. Did the term "articles" contemplate men, or is that now by a strained and tardy construction to be implied from it? The Crown exercised its prerogative by making a treaty. It stipulated by virtue of the prerogative for that which by the prerogative it was entitled to perform, and for no more. I cannot conceive how, by a general approbation of the treaty, the faith of parliament can be considered as pledged to more than even the framers of the treaty contemplated, when they framed it, or when they laid it on our table. I take the ministers themselves for my interpreters of it. Would they have suffered that treaty to lie dormant for five years as far as the present implication from it is concerned, if they had meant to stipulate for a new legislative measure? If, then, I have established that there is no claim of justice let us consider how far interest can influence us to adopt the additional restrictions of this bill. On this head, I will only refer to the cloud of petitions against it which have been laid on our table unopposed by a single one in favour of the measure. It will, in such a case, be a safe inference that the interest of so many individuals is identifiable with the interest of the community. As it is not on grounds of expediency that I rest my opposition to the bill I will not dilate on this topic.—Next, as to the motive of fear, which I admit to be a principle which ought sometimes to induce governments to concede that for the security of their people which they are not bound to grant from any claim of justice. Thank God we are not now deliberating under the influence of any such servile feeling! This, however, tempts me to attract the attention of the House to a period of our history which has not been sufficiently noticed. Let us turn to one of its brightest pages, to the reign of queen Elizabeth. Let us look to the foreign policy of that wise, and magnanimous princess, who however questionable and arbitrary were many of the features of her domestic administration, was in her military and diplomatic policy, a pattern to all future princes. I advert particularly to the ten years which preceded her rupture with Spain. Philip the 2nd remonstrated with her on account of the supplies of men and money which the revolted Netherlanders received from this country. She withdrew at his requisition all national assistance, but refused to interfere with the voluntary acts of her subjects. She did not suffer herself to be influenced by the motive of fear, although her country was still fevered and distracted by the virulence of religious factions, and domestic treachery gave additional terror to the menace of external attack. At that period too the monarch of Spain wielded a power greater both in wealth, in territory, and in influence, than has ever been known in civilized Europe, with the exception of the despot who has recently swayed its destinies. But though she was no visionary friend to liberty, she was probably unwilling to cramp unnecessarily the energies of her people, and she felt that a free state is a good neighbour, since, in proportion as it is less vulnerable to external attacks on itself so it is at once more impotent and more indisposed to foreign aggressions. But my hon. friend has eloquently expatiated on the beauty of generosity, and has urged that we should concede to her weakness what Elizabeth and James denied to her strength. However this argument may afford scope to fine periods in this House, I cannot consider it as a principle fit for statesmen to act upon. What! because Spain is fortunately too weak to inflict an injury and an insult upon us, are we to show our generosity by inflicting it on ourselves? Such chivalrous notions are better calculated for the plains of La Mancha than for a British House of Commons. Indeed this high point of honour reminds me of that which induced Prince Prettyman to marry the old Chandler's widow. Lastly, will any feeling of favour induce us to grant as a boon what the other motives had been wanting to enforce? What favour can we bear to that Spain which received with such unworthy jealousy those splendid services by which, in the late war, we preserved her a station in the catalogue of independent nations? What favour to her who imposed on us, at the return of peace, as the meed of those services, commercial restrictions highly injurious, though, mark again the distinction, not unjust? What favour, lastly, do we owe her for draining that last pittance from our purse, already too much exhausted in those efforts on her behalf, in consideration of her partial abandonment of a trade which disgraced her character as a Christian nation?—Before I quit the topic of favour, I must declare that I am not aware of any sufficient ground of discretion which should restrain a British senator from avowing the conscientious opinion which he may entertain in favour of South American Independence. I am confident, that if such a feeling may be expected to exist any where it would naturally be sought in British bosoms, in those who have themselves been nursed in the lap of freedom. The principle of liberty is of a diffusive and communicative nature. It has nothing of the selfish and monopolising spirit which characterizes the tyrant and the slave. It teaches those who enjoy it to appreciate its blessings, and to desire their extension. This feeling is also consistent with its best policy,—because, in proportion as liberty is diffused, in proportion as its ramifications are wide and numerous, it is consolidated and secured wherever it previously existed. I am sure I cannot be fairly accused of not being a warm friend to legitimate governments; but I feel that it is for the benefit and preservation of all such as are worth preserving that in cases where gross and grievous oppression obtains, the abuse should find a remedy, that where they conduce rather to the misery and degradation than the welfare of the people, the evil should be redressed, and the tyranny overthrown. Such events as these are memorable examples, and salutary admonitions both to monarchs and their people. They teach the former that they cannot trample with impunity on the rights of nature, while they warn the people, that as on the one hand they are not doomed by any fatality to a state of wretchedness and slavery, so on the other they ought to be very cautious how they presume to innovate, or to tamper with existing institutions. They will be admonished that it is only grievous evil, and intolerable abuse which can justify such attempts when they see through what a crowd of miseries, and through what a deluge of blood they must wade in order to attain that redress. I will conclude by again protesting against our being deterred from maintaining a course which is sanctioned by justice and which is consonant to our best feelings, merely because it is also conducive to our advantage.

Mr. Alderman *Waithman* assured the House, that it was not his intention to trespass on its attention for more than a very few minutes. On the question of neutrality he should say nothing, after the ample discussion which it had undergone, and because he considered that the common law was sufficient to provide for it. The act of George 2nd was justifiable upon a principle of self-defence; but here no such ground could be alleged. The only question now was, whether we were bound by treaty to the adoption of this measure? Had Spain fulfilled her obligations arising out of it with regard to the commercial intercourse between the two countries? So far was this from being the fact, her prohibitory laws had been revived, and to that extent the treaty had been violated on her part. This was a consideration which had not been adverted to, he believed, by any preceding speaker. The allegations contained in the petitions upon this subject had not been controverted or denied. On other occasions it was usual to consult the feelings and opinions of commercial men. In fact, ministers had never contemplated any great job, without making an appeal to the merchants and citizens of London. He recollected a great meeting in Merchant-Tailors'-hall, followed by another in Grocers'-hall, on the subject of the Bank restriction. When the war broke out in Spain, it was thought necessary to have a dinner, in order to rouse a spirit favourable to its support. He believed the price of the tickets was not less than four guineas each. One of the toasts which were drunk on that occasion was, "Our brave associates in liberty and arms," alluding to the Spanish people. It was not just thus to work upon the feelings of the public at one moment, and to despise them at another. Thousands of individuals had freely poured out their blood in the contest which followed those meetings and toasts; but he was sorry to say, that our allies, the Spanish patriots themselves, in Old Spain, had been disgracefully abandoned. He did not wish to dwell upon the commercial interests of the country, though it could hardly be denied that they required protection when not militating against justice or general policy. To overlook those interests at a moment when they were so crippled, and when fresh burdens were about to be imposed, looked like a voluntary surrender of them. He trusted that, however attached a majority of the House might be to the ministers, it would not, under the circumstances of our present situation, sanction a measure so injurious and so unnecessary.

Dr. *Phillimore* said:—Reluctant as I always am to obtrude myself on the notice of the House, and infinitely as that reluctance is increased in the present instance, by the protracted discussion which this question has undergone; I nevertheless feel desirous of being permitted to state the reasons which have hitherto induced me to vote in support of this measure; and why it is, that neither subsequent reflexion, nor any of the arguments we have heard this night; nor yet the seducing and bewitching eloquence of an hon. and learned friend of mine on a former occasion, have in the slightest degree shaken the opinion I was led to form upon the first examination and consideration of this subject. I am desirous of explaining that opinion, because, agreeing as I do in many of the sentiments expressed by the hon. and learned gentleman who last addressed the House; concurring as I entirely do in many of the general positions laid down by him,—I nevertheless decidedly think, that such are not the sentiments which ought to influence us on a question of this description; that such positions (true as they may be in general, and abstractedly), are not applicable to the present question, and consequently are not correct premises from which we can deduce any just and legitimate conclusion.—I am desirous also of explaining my opinion, because I am one of those who think it utterly impossible not to feel a deep and anxious interest in the great and momentous transactions which are now developing themselves on the other side of the Atlantic. It is impossible, indeed, not to view with interest and emotion so large a portion of the other hemisphere,—so long depressed by an unwise, impolitic, and tyrannical system of government,—emerging as it were from the condition to which it has been debased and degraded,—to see the distant and dependant provinces of a feeble and unwieldy empire, struggling to shake off the yoke by which they have been so long galled, and rising with all the characteristic vigour and energy of newly-acquired liberty, into the rank and character of independent states.—As an individual, it may be permitted me to add, that I ardently hope the result of this struggle may be the complete emancipation of the South American colonies from the dominion of the parent state;—as an individual I entertain a confident opinion, that if these transactions observe the ordinary march of human events, they will not so far falsify all that history and experience has taught us, but that such must be the final, such the inevitable result.

Deeply, however, as I may be impressed with these sentiments, I still feel that they ought not to influence our votes on the present occasion. The true question for our deliberation this night is, what is the relative situation of Great Britain with respect to the contending parties? What are the particular compacts and obligations by which we are bound?—What the solemn declarations given in the face of Europe and the world to which we are pledged to adhere? In fine, what is the line of conduct which the law and practice of nations point out to us, if we would wish to preserve inviolate our national faith and national honour?—These are momentous considerations; all, more or less, implicated in this discussion; all, more or less, exciting us not only to guard against the impulse of the kind and generous feelings which would naturally prompt us to lend aid to those who are struggling to emancipate themselves from a state of oppression and thraldom, but most especially also to guard ourselves against the repeated appeals which have been made to our interests, and against that branch of argument so pressed upon our attention, namely, the benefit which would infallibly accrue to our commercial speculations, from a different course of proceeding. Our table is strewed with petitions, all breathing one spirit; descanting on the odious monopolies of Old Spain; expatiating on the vent which the South American colonies offer to our manufactures; pourtraying also, in glowing colours, the commercial distress of this country, and the diminished employments of our labourers and manufacturers; nay, a worthy alderman, who has recently taken a part in this debate, has mainly founded his arguments in opposition to the measure on the claim the trade of the country has from parliament for an equivalent for the three millions of taxes it has imposed upon the people.—As a general proposition, I am free to admit, that the views of British merchants are so liberal and enlarged in the management of their commercial concerns, that whatever contributes to the extension of British commerce may be said to contribute to the benefit of the human race.—But where the question is *à priori*, between the plighted faith of the country on the one hand, and the advantages to be derived to trade and manufactures on the other; British merchants are the last persons whose opinions ought to guide the counsels and deliberations of the state: they stand on the footing of witnesses, deeply interested in the result of a suit: their opinions should have no weight with those who are to decide: they are liable (for they are men, and subject to the infirmities of men), to bias and prejudice, and favour on behalf of the side which they espouse; they are liable, as all interested witnesses are, to deceive themselves, by the most common species of sophistry, into thinking that what contributes to their profit and advantage, is best for the community at large.

It is admitted, that we are pledged to maintain an exact neutrality between the contending parties. Without entering into any abstract definition of neutrality, it may be simply stated to mean, that there should be on our part no interposition in the war; not that we are thereby prohibited from commercial intercourse, or from the interchange of kind offices with either of the belligerents, but that we are prohibited from transporting to them those articles by which the war is supported, instructed, and maintained; or, to borrow the language of the eminent publicist, whose authority has been so often involved in the course of these discussions, those articles *quibus bellum instruatur et foveatur*; and, in enumerating the articles clearly prohibited, he uses the following terms: "arma, tormenta, et quorum præcipuus in bello usus, milites;"—at first sight, this seems to conclude the whole argument; for, if whole regiments (as is notoriously the fact), are raised in this country for the supply of the South American armies; on the authority just cited, it should seem that our neutrality is unquestionably violated towards the other belligerent. But a distinction has been taken as to this, and it is said that, however unneutral it may be for the state to furnish troops to a belligerent, yet that individuals in their private capacity may enlist under the banners of either belligerent, without compromising the neutrality of their country; and it has been further asserted, that Bynkershoek, in the chapter intituled "an liceat militem conducere in amicæ Gentis populo?" sanctions and enforces this doctrine. This is considerably to overstate Bynkershoek. He considers the question in two points of view, viz. whether it is lawful for a belligerent to levy troops within the territory of a neutral state? and 2ndly. Whether it is lawful for the subject of a neutral state to enter into the service of a belligerent? On entering upon this question, he states it to be one of great difficulty—a *vexata quæstio* as it were, and one which had at all times much divided, and at the time he wrote, still continued to divide the opinions of great jurists. Undoubtedly with respect to the first branch of the question, he lays grounds for a strong inference that his own opinion was favourable to the right of the belligerent to raise troops in a neutral state. But he candidly states, that so different was the opinion of his own country on this head, that in Holland (no mean authority on any question of the law of nations) such an act was punishable by death. On the second point, whether an individual can divest himself of his country, and enter into the military service of another state? he explicitly lays it down, that it entirely depends upon the laws of the country to which the individual belongs, and that it is unlawful if it is prohibited by the laws of the state; and amongst the states in which such a prohibition notoriously exists, he enumerates England. The case, however, does not rest here; an extraordinary fallacy has pervaded all the arguments rested upon the authority of Bynkershoek; the whole of his reasoning applies to the case of states, who are simply friends, and unconnected by any alliance with either belligerent. In all his disputations, he cautiously guards himself on this point; his language invariably is *de federatis alia est inspectio*. The hon. members who have opposed this measure seem entirely to have thrown out of their consideration, that Great Britain is the ally and confederate of Spain; and that she is not bound by any treaty or compact to the South American colonies. By the treaty of 1814 "the sovereigns of Great Britain and Spain profess themselves equally animated by a desire to strengthen and perpetuate the union and alliance, which has been the principal means of re-establishing the balance of power in Europe, and restoring peace to the world." One of the articles contains the following express stipulation: "His Britannic majesty being anxious that the troubles and disturbances which unfortunately prevail in the dominions of his Catholic majesty should cease, and the subjects of those provinces should return to their obedience to their lawful sovereign, engages to take the most effectual measures for preventing his subjects from furnishing arms, ammunition, or any other warlike article to the revolted in America." And in the face of this article, can it be maintained that the revolted in America, may levy troops in Great Britain against the king of Spain? The article was framed with reference to the warfare which now exists *hoc ipso intuitu*, the *casus fœderis* has occurred; and who will say that if Great Britain permits these levies, she does not give Spain a right of war against her? It would be a most unworthy quibble, a most pitiful and paltry subterfuge, that because troops are not enumerated among the warlike articles prohibited *nominatim*, therefore they might be supplied. Look to the spirit and meaning of the treaty, and the object for which it was framed, and see whether writers on the law of nations would include levies of troops in their enumeration of supplies by which war is supported and maintained. An hon. friend of mine has said, if there is such a treaty it is not binding upon parliament. But the treaty was entered into and concluded by that branch of the executive government in which the constitution of this country has vested the power of making peace and war. It was laid four years ago on the table of this House, and the Crown was thanked for it. With the merits of this treaty therefore, unhappily we have now no concern; be the stipulations of it, the most absurd—be they the most disadvantageous that can be imagined; they were made by competent authority, and the House and the country are inviolably bound by it, we may impeach the minister who signed it, but we cannot break the covenant to which we are pledged.

Farther, it has been urged (no point indeed has been more pressed), that we are about to alter the law of the land:—this I deny; it is the very essence of this measure, that it has its foundation in that reciprocity of rights, and obligations which exists between the sovereign of this country and his subjects. Every natural-born subject of Great Britain is entitled to the protection of his sovereign; but in return for that protection, it is the undoubted law of this land,—derived to us indeed from our feudal ancestors, and deeply tinged with the colouring of the parent stream from which it derives its source, but it is the undoubted law of this land—that in return for that protection, every natural-born subject owes to his sovereign allegiance—an allegiance, not the result of express law, or the creature of positive enactment, but an implied original and virtual allegiance, impressed upon him at his birth, and only to be divested from him by his death; it is contrary to this allegiance to enter into the service of any foreign state without the permission of his own sovereign; it is a high misdemeanor at common law, and punishable as such. Not content with this, our immediate forefathers have,—as has frequently been the case since the Revolution, grafted a statute on the common law of the land; and in 1736 an act was passed (which it is the object of the present bill to modify and renew) denouncing the punishment of death against any British subject who should engage without the licence of the king in the service of "any foreign prince, state, or potentate."

It has been asserted, that this statute (9th Geo. 2nd) was passed under particular circumstances, and to meet the exigencies of a special case. Where are the facts on which this assertion rests? It was passed in the ninth year of the second sovereign of the house of Brunswick, not as has been stated this night, at a moment when this country was engaged in a war against the Pretender, aided by all the great powers of Europe,—but in the ninth year of a reign up till that period of uninterrupted tranquillity, and at a period when this country was under the guidance of the most peaceful minister that England ever knew True it is that war had raged between two great powers on the continent of Europe, which threatened to involve the other states; but in the year preceding the passing of this act, George the second, in concurrence with the states-general, had been appointed mediator between the contending parties. So successful had been their mediation that an armistice had been signed, and the preliminaries of peace agreed upon. Such indeed was the confidence of the British monarch and his ministers, in the stability of these arrangements, that the king opened the very session of parliament in which this act was subsequently passed, by recommending in his speech from the throne considerable reductions of the forces both by sea and land. What is the inference deducible from these historical facts? Surely not that this statute was passed under the pressure of a necessity, or for a temporary purpose; but that when peace was restored to the continent, and the affairs of Europe were composed, England feeling the inconvenience which had resulted during a war in which she had been neutral, from her subjects enlisting under the banners of the respective belligerents, applied herself to correct the evil by confirming, by statutory provisions, the power the Crown possessed under the original constitution of the country. This inference is further corroborated by the immediate operation of the law; for the law has not, as has been represented, been always a mere dead letter which has slumbered in the Statute-book, from the moment of its enactment. It appears from a search which has been instituted by an hon. friend near me into the sessional papers of the Old Bailey, that in the first four years after it passed, four convictions took place under it, and two of them were followed by executions; and these convictions were not for entering into the service of the Pretender, but for enlisting men for the service of the king of Prussia.—Such being the common law, and such the statute law of this realm, the one making the enlisting in foreign service, without the permission of the king, a misdemeanor, the other denouncing death against this offence—it being notorious also to all the world, not merely from the writings of foreign jurists, and the language Great Britain has held on this subject in more ancient times, but from the recent discussions which have taken place between this country and the United States of America; that England has, on all occasions, held high the doctrine of the control exercised by her sovereign over the allegiance of his subjects. We pledge ourselves by treaty to Spain to prevent our subjects from supplying the South American colonies with military stores, &c.; in despight of this treaty, enlistments are carried on here, to a most extraordinary extent, for the service of those colonies. The Spanish government remonstrates; we reply, it is true that our law is binding against you, but we have no means of enforcing it against your opponents; we are anxious to fulfil our solemn engagements, or at all events to preserve strict neutrality; but in the sense of our act of parliament, the insurgent provinces of America cannot be considered as states. What? we admit them by our conduct to be *de facto* states; we give them the rights of war, and together with those rights, the incidents and emergents arising from them; but yet, in construction of law as far as Old Spain is concerned, we deny them to be states. Is not this a solecism? is it not a quibble unworthy of a great nation? I stop not here to examine the construction put upon the statute by the law-officers of the Crown, which holds that these powers, towards whom we enjoin our commanders by sea and land to observe an exact neutrality, are neither to be esteemed "foreign princes, states or potentates." I think the construction very questionable; but this I maintain, that whatever may be the construction of our municipal law, such a construction is not to be tolerated under the law of nations. In common fairness Spain has a right to your law not distorted by special pleading, and perverted by legal subtlety, but placed upon such a footing as shall entitle her to the equal and just interpretation of it. Spain places you in this dilemma,—either her revolted provinces are or are not states; if they are not states, they cannot claim the exercises of the rights of war, or the privileges of neutrality; if they are states, the same law which prevents your subjects from enlisting in the service of Old Spain, ought to prevent them also from enlisting in the service of the South Americans. On every principle then, of justice and good faith, we are called upon to make the letter of our law correspond with the spirit of it; and to place it upon the same footing with respect to our ally, on which it stands with relation to the other belligerent.

Compare this transaction with a transaction in private life; with the case of an individual, who, having entered into a contract after a lapse of four or five years refuses to complete it because it turns out in its execution irksome or inconvenient to him, or prejudicial to his interests. The obligation contracted by this country to Spain rests on ground precisely similar. For we are to remember that it is fixed in the unalterable constitution of things that the same rules of moral obligation which bind men together in families, bind families into nations, and again bind nations together in the great society of mankind. We are to remember that states as well as individuals are liable to suffer injury, and to receive benefit from each other; that it is alike the duty of man in his collective, as it is in his individual capacity, to cultivate and enforce the observance of those rules of justice which contribute so much to the comfort and happiness of the whole human race. We are to remember that though nations acknowledge no common superior upon earth, and consequently that there is no tribunal but that of arms to which they are amenable for acts of injury, and injustice towards each other; yet if they deviate from their sacred obligations, if they break their plighted faith, it frequently happens in the awful dispensations of Providence, that the same avenging punishments await them in their national capacity, which characterise the fate and fortunes of individuals in private life for similar breaches of morality and justice. It is impossible that the discussions of this night should not forcibly recall to our recollection an appropriate and exact illustration of this awful truth. The subject naturally compels us to revert to that period of our history when Great Britain was involved in a war with her own colonies; at that unfortunate period France and Spain were impelled by interested considerations, by the prospect of commercial advantages, and by the hope of humiliating a powerful rival, in violation of solemn covenants to assist our revolted colonies in America. Mark the moral effects of this conduct: observe the just retribution by which it was followed. The experience of the last 30 years has evidenced how deeply France has rued her perfidy. Little too did Spain think when she was fanning revolt in North America, of the evils she was preparing for herself. But the hour of retribution has arrived, the trumpet of civil discord has been blown; the blast of war has gone forth: it has pervaded all her transatlantic colonies; it has resounded through all the peopled cities, and all the hundred provinces of the vast continent of South America; it has been re-echoed from the extremity of Cape Horn, to the banks of the Oronoco; from the banks of the Oronoco to the inmost recesses of Mexico.

> Audiît et Triviæ longè lacus, audiît amnis
> Sulphureâ Nar albus aquâ, fontesque Velini;
> Et trepidæ matres pressêre ad pectora natos.

Shall we then fall victims to the allurements of similar temptation? Shall we, with this example before us, retaliate upon Spain injustice for injustice? Because Spain 40 years ago provoked us unjustly to war, shall we be stimulated by views of commercial advantage and the hope of territorial aggrandisement to a similar deviation from good faith towards Spain?

The hon. member who the last but one addressed the House, has contrasted the conduct of Great Britain on the present occasion with the conduct of queen Elizabeth towards the revolted provinces in the Netherlands; but in what does the analogy consist? In what point is our relative situation to South America similar to our relative situation to the Netherlands in queen Elizabeth's time? The sovereign who at that period wielded the vast resources of the Spanish empire had inherited from his father an ardent desire for the universal monarchy of Europe; the only spot of Europe which held out any refuge for the oppressed, any rallying point against his vast and overwhelming power, was England. Added to his political hostility, Philip 2nd was also animated by every feeling of personal rancour, and every sentiment of infatuated and furious bigotry against Elizabeth. Well indeed, was that intelligent princess aware that her destruction was the scope of his views, the ultimate object of his ambition: on the soundest principles therefore of the law of nature and nations,—on that principle which alike justifies nations and individuals in arming in self-defence,—with a view to her own security, and the preservation of her people she was impelled to assist, first the Huguenots against the Spanish faction in France (for France was then rent by contending factions), and afterwards the revolted provinces of the Netherlands in the struggle they were maintaining in vindication of their natural rights and liberties against the cruel and unjust usurpation of their sovereign. Perfectly indeed might that intelligent princess have foreseen that by fostering the growth of an independent state on the Flemish coast she was laying the foundations of a power whose interests in process of time might become inseparably blended and mixed up with the best interests of this country; but she was equally aware, that at the moment she was erecting a bulwark for her own preservation, and making the surest preparation for that storm which she well foresaw would sooner or later, burst over the heads of her people and herself. Elizabeth too had no treaties with Spain, but she had bound herself by repeated and solemn engagements to assist the United Provinces against the mother country. In truth, if we examine the question we shall find that the parallel holds in no one circumstance, but that the South American colonies and the Netherlands were at the time of their respective revolts subjects of Old Spain.—The hon. and learned member then recapitulated his arguments, and concluded by imploring the House on a question in which the good faith of their country was involved, not to allow their opinions to be biassed, and their judgments warped from the right course by the fervour of their feelings on the one hand, or by considerations of interest and advantage on the other.

Mr. *Williams* said, that much stress had been laid upon the treaty of 1814; but what duty could it impose upon England? It could not be pretended, that his majesty in the exercise of his prerogative, could enter into any treaty which should oblige parliament to pass an act to effect its purposes. He expressed his firm conviction, that if this bill passed into a law, it would be not only prejudicial to our commercial interests, but to the national honour.

Mr. *Long Wellesley* thought it unbecoming the character and dignity of Great Britain, to state to another country, that because legal gentlemen took exceptions to certain parts of a treaty, formally and solemnly concluded, she was not bound to the observance of its stipulations.

Mr. *Barnett* entered his solemn protest against a measure marked by impolicy and injustice.

The House then divided: Ayes, 190; Noes 129.

### *List of the Minority.*

Allen, J. H.
Althorp, viscount
Anson, hon. G.
Aubrey, sir J.
Beaumont, T. W.
Buxton, T. F.
Bentinck, lord W.
Blandford, marq. of
Barnard, visct.
Barnett, J.
Becher, W. W.
Belgrave, visct.
Bernal, R.
Benyon, Ben.
Birch, Jos.
Browne, Dom.
Brougham, H.
Byng, G.
Carhampton, earl of
Calcraft, J.
Calvert, C.
Campbell, hon. J.
Carter, John
Clifford, Aug.
Colborne, N. R.
Coke, T. W. jun.
Concannon, Lucius
Crompton, S.
Crespigny, sir Wm.
Davies, T. H.
Denman, Thos.
Duncannon, visc.
Dundas, hon. L.
Dundas, Thos.
Ellis, hon. G. A.
Ebrington, visc.
Euston, earl of
Ellice, Ed.
Fitzgibbon. hon. R.
Forbes, C.
Fazakerley, Nic.
Fergusson, sir R. C.
Fitzroy, lord C.
Foley, Thos.
Gaskell, Benj.
Grant, J. P.
Gordon, Robt.
Graham, S.
Grenfell, Pascoe
Guise, sir Wm.
Harcourt, John
Hamilton, lord A.
Harvey, D. W.
Hill, lord A.
Honywood, W. P.
Hume, Jos.
Hutchinson, hon. C.
Kennedy, T. F.
Leigh, J. H.
Lawson, M.
Lamb, hon. G.
Langton, W. G.
Latouche, John.
Latouche, Robt,
Lemon, sir W.
Lloyd, sir E.
Montague, lord F.
Macleod, Rod.
Macdonald, J.
March, earl of
Mackinnon, W. A.
Marryat, Jos.
Madocks, W. A.
Maitland, viscount
Martin, John
Maxwell, John
Mills, G.
Mildmay, P. St. J.
Milton, viscount
Monck, sir C.
Moore, Peter
Newman, R. W.
North, Dudley
O'Callaghan, James
Ord, W.
Osborne, lord F.
Palmer, col.
Palmer, C. F.
Pares, Thos.
Parnell, sir H.
Philips, G.
Philips, G. jun.
Phillipps, C. M.
Pringle, John
Primrose, hon. F.
Piggott, sir A.
Powlett, hon. W.
Price, Robert
Pryse, Pryse
Rickford, W.
Robertson, Alex.
Ricardo, D.
Robarts, A.
Rowley, sir W.
Russell, lord G. W.
Russell, R. G.
Rumbold, C.
Scarlett, J.
Smith, John
Smith, W.
Smith, Saml.
Smyth, J. H.
Spencer, lord R.
Stuart, lord J.
Stewart, Wm.
Tavistock, marq. of
Vernon, G.
Waithman, ald.
Webb, Ed.
Western, C. C.
Wharton, John
Whitbread, W. H.
Williams, W.
Williams, sir R.
Wilson, sir Rt.
Wilson, Thos.
Westenra, hon. H. R.
Wood, ald.

TELLERS.

Bennet, hon. H. G.
Nugent, lord

Mr. *Denman* moved an amendment to the bill, the object of which was, to enable custom-house officers to search, and to detain, all ships which might be in any of his majesty's ports.

Mr. *George Lamb* did not rise to oppose the amendment, but he wished to remark upon the curious manner in which this bill was worded. The learned lawyer who had framed the measure, whoever he might be, seemed to have had his head completely filled with military phrases, and the individual who now filled the civic chair, was raised to the high and distinguished rank of "chief civil commander." To the lord mayor application was to be made to put the provisions of this bill into execution. He should really advise hon. gentlemen not to limit it to the mayor alone of any town, but to extend it to all the subordinate officers, even to the village schoolmaster, who would be found to be upon this, as upon all other occasions, a most active and useful personage: nay, the sextons and their companions might be applied to in cases of great emergency. The gallant officer behind him (sir R. Wilson) had prophesied the influence this measure would have on foreign countries; he would prophesy its influence nearer home; and he should have thought his majesty's legal advisers, after the lessons they had already received—after the repeated proofs they had seen of the wisdom and the undaunted spirit of a British jury,—would have been wise enough not to press such a measure as this. The efforts of government had already been defeated by the firmness and independent spirit of a few individuals at home. Thank God, it yet remained to be seen whether a British jury would assist the government in enforcing such a law as was now attempted to be forced upon the people.

Lord *Castlereagh* felt confident that a British jury would not swerve from its duty. Englishmen placed in such an awful situation would recollect the sacred oath they had taken, and would not be influenced by any suggestions, either from within or from without the walls of parliament.

The amendment was negatived, and the bill passed.

## HOUSE OF COMMONS.

### *Tuesday, June 22.*

EXCISE PROSECUTIONS.] Mr. *D. W. Harvey* presented a petition from captain Samuel Bryan, of the ship Margaret, who complained that he had been subjected to a vexatious prosecution by the solicitor of excise. By the 26th of the king, commonly called the Manifest act, the captains of British ships, clearing out from foreign ports for this country, were obliged to procure a manifest, that is a detailed statement of the contents of their cargo. Captain Bryan arrived in this country with his ship from Surinam, in August, 1814. According to the terms of the act, the captain was bound to transmit to the commissioners of customs a correct copy of this manifest, which was termed the Ship's Report. Captain Bryan did this, and in the report he stated, among the other articles of the cargo, 145 bags of coffee. It was the practice for the commissioners of the customs to send to those of the excise a copy of so much of the report as related to excisable articles, of which coffee was one. When the transcript of the report was sent to the excise, the commissioners sent their searchers to compare the cargo with the manifest; and, instead of 145, only 140 bags of coffee were found. In the act, there was a clause which stated, that if any package whatever was wanting of those contained in the report, a penalty of 200*l.* was incurred by the captain, but with this proviso, that if the report did not agree with the manifest, or if it could be made out to the satisfaction of the commissioners of customs, that the manifest was incorrect by mistake, then the penalty should not be incurred. Captain Bryan being ignorant of the cause of this mistake, applied to his mate, who informed him, that when the ship sailed, the 145 bags of coffee had been emptied into 140 bags, to save stowage. He transmitted this statement to the commissioners of customs, praying them to rectify the mistake in the report. They, satisfied with his explanation, complied with his request, and transmitted it to the commissioners of excise, who also appeared satisfied with the explanation. After this, captain Bryan had a right to conclude, that the consequences of his mistake were at an end, and for two years he had no idea of any further proceedings;—yet, at that time, when, all the evidence which explained the mistake, might have ceased to exist, he received the first intimation from the solicitor of the excise, of a proceeding against him, not by letter, but by a process in the court of exchequer. This summary proceeding was a course which any solicitor in London would be ashamed to take without a previous letter, informing the individual of the nature of the claim, and no other excuse was to be pleaded but that the practice was general in that department. In cases of this nature, it was often replied to any complaints, that the individual complaining was a person of bad character, who lived by violating the revenue laws; but in this case, no such answer could be made. The petitioner as he had every reason to believe, was a man of unexceptionable character. The precipitate manner in which prosecutions of this nature were commenced, might be inferred from the fact, that in one year there were 761 prosecutions at the suit of the attorney-general in the court of exchequer. So that near 150,000*l.* were paid for legal expenses, either by the public or by the unfortunate persons who were the objects of these prosecutions. Captain Bryan preferred a petition to the board of excise, accompanied by the affidavit of his mate, and his own, with which the customs had previously been satisfied, and praying for an interview. He received for answer only a verbal communication, in which his request was refused, on the ground that the commissioners were never wrong in any of the 761 prosecutions which they instituted. He then offered modified terms of compromise, to which they would not accede. It was easy to imagine why all these propositions were rejected. The commissioners referred to their solicitor to report on each case as it occurred, and by his report they were guided. It was not in the nature of man that the solicitor should report with impartiality, whether he should quash in the bud these 761 prosecutions, on which perhaps only 3 or 4*l.* costs had been incurred, while they might swell in the end to 160*l.* The cause was brought before the exchequer, which, with all respect to those who administered the law, he must say, had assumed too much of the odious character of the star chamber, and in which the solicitor of the excise assumed much of the power formerly exercised by the master of the crown office till the abuse of it was corrected by the statute of William and Mary. When the cause was brought before that court, the judge said, that the commissioners of customs had no power to rectify the error, and he directed the jury to find a verdict for the crown. The petitioner stated, that he was advised by his counsel, that a bill of exceptions might be tendered, and he should have prosecuted it, but that he had not funds. He was better advised to apply to the lords of the treasury. He sent to that board the same statement verbatim, which he had sent to the commissioners of excise, precisely the same affidavits with not one new fact. The lords of the treasury having no solicitor behind them, came to that honourable conclusion, which was to be expected from them. They remitted the penalty; but they made a stipulation, that the individual should pay the costs of the action. He had the receipt in his hand of the solicitor of excise from the defendant, for the Crown costs in this prosecution, which in the judgment of the lords of the treasury should never have been instituted. They amounted to 160*l.* 5*s.*; in addition to this, the defendant, who had not money to follow up his bill of exceptions, had his own solicitor's bill to pay, amounting to 89*l.* 8*s.* 5*d.* From an examination of this individual case, and a knowledge of the fact, that 761 prosecutions were instituted in the course of the year, he must infer, that proceedings of this kind were instituted not so much for the protection of the revenue as for the sake of the costs, for the advantage of those at whose advice they were instituted. Neither was it to be supposed that the higher crown lawyers could view these prosecutions with altogether unprejudiced eyes. In every prosecution nearly 50 guineas were paid in fees to counsel for the Crown, though comparatively few were brought to trial, for after the last 6*s.* 8*d.* was stuck to the bill, the solicitors who before were so averse to compromise, were anxious to agree to it, that was, to have no more trouble in the business. The House should hear some of the items of the bill in the present case. After a charge for five fair copies of the brief, were these items:—the attorney-general, ten guineas; the solicitor-general, ten guineas; Mr. Dauncey, eight guineas; Mr. Clarke, eight guineas; Mr. Walton, four guineas; and finally, to keep up the splendor of a crown prosecution, 7*l.* 13*s.* to the marshal and crier of the court. It was thus that the expenses of the Crown were swelled out, for the respectable solicitor for the defendant had carried the cause on for half the sum. This was on all defendants a severe, but on innocent defendants, a cruel and wicked impost. In the next session he should move for a committee to inquire into the mode of instituting and conducting these prosecutions.

Mr. *Ellice* said, that the system on which the customs and excise acted, of referring all causes to the solicitors who were interested in prosecutions, was bad. The country was obliged to the hon. gentleman for bringing the subject before the House.

The *Solicitor General* said, that the hon. gentleman had made a direct attack on the administration of justice. He had compared the Court of Exchequer to the Star Chamber. Now, surely, if the conduct of the learned judges in that court was criminal, the manly way of proceeding against them would be by impeachment. As to the case before the House, it was necessary to state that there was no revenue law more important than the 26th of the king. It went not to attack fraud when discovered, but to cut up the roots of fraud. When it was discovered that the petitioner's cargo did not correspond with his report, it was the duty of the excise to prosecute; and he had no doubt the delay had been occasioned by the circumstance of the petitioner having left the country, so that he could not be proceeded against. The irregularity in the report had been attributed to the coffee being brought in casks, and shifted into bags. If this was the fact, the board of excise observed that it would be mentioned in the log book, and called on him to produce it, but with this demand captain Bryan had not complied. The act gave the customs no authority to remit the penalty, except in the case of an accidental difference between the manifest and the cargo; but this had not been attempted to be made out. The Treasury consented to remit the penalty, in consideration of the circumstances of the case, and the expense the defendant had incurred. With respect to the number of prosecutions instituted within the last year, 760 were not to be deemed very numerous, considering the extent of the revenue to be collected, with the quantity of fraud and smuggling likely to be committed. Then, as to the number of counsel usually employed in exchequer prosecutions, it should be remembered, that the attorney and solicitor-general were sometimes unable to attend such prosecutions, and it was necessary to retain competent professional gentlemen to conduct them.

Mr. *N. Calvert* said, that when the character and construction of the excise laws were duly examined, when it was considered that the whole system was inconsistent with the principle of our free constitution, the House was bound to inquire into any abuse in a system which was obviously so very liable to abuse. He was an advocate for inquiry, thinking that the statements of the hon. mover had by no means been answered by the learned gentleman.

Mr. *Denman* maintained that the hon. mover had not cast any reflections upon the character of the chief baron of the exchequer. For the character of the judge alluded to, he felt the most profound respect, but he must say, that according to his conviction, the opinion of that very learned judge in the case under consideration, was not conformable to law, and had the bill of exceptions been pressed, he had little doubt that the opinion would have been set aside by the superior tribunal of a full court. Into the merits of the revenue code he would not now enter; but he must say that there was something so overwhelming in the weight and influence which the Crown possessed through the revenue laws in the court of exchequer, that the administration of justice there, was quite different from that which prevailed in the other courts. The whole system of the laws of excise and customs, was, in fact, of an odious character; and seeing from a bill passed yesterday, that the just right of a British subject to leave the country if he pleased, was to be subjected to all the restrictions imposed upon fraudulent trading or smuggled goods, he was the more anxious for the revision and amendment of that system. Upon this subject, then, he hoped and trusted that a rigid inquiry would be instituted next session.

Ordered to lie on the table.

LAWS AGAINST COMBINATIONS OF WORKMEN.] Mr. *Hume* rose to call the attention of the House to a petition of considerable importance. He believed much diversity of opinion existed, as to the facts stated in it; and many persons conceived that the present was not a proper period to entertain the subject; but, the very reasons which led those persons to suppose the present an improper time to investigate the cause of complaint, were those which induced him to think that it ought now to be looked into. The petition was signed by a number of journeymen tradesmen, and mechanics of London and Westminster, who complained of the existing laws relative to combination, which prevented them from receiving the full remuneration for their labour. All laws, they observed, which interfered with the rate of wages, were hostile to the best interests of trade, and were the source of constant complaint and litigation. He conceived that those laws were mischievous. He would put it to the feelings of every gentleman present, whether it was just to give to the rich master the power of combining against the journeyman, and to punish the latter, if he attempted to procure what he conceived to be a fair remuneration for his labour? The common law of the land was sufficient to check any improper conduct on the part of the labouring artisan; and he conceived a measure ought to be introduced for the purpose of altering or repealing the statutes that had been enacted on this subject.

The Petition was then brought up and read, setting forth, "That the petitioners are aggrieved by certain Laws against combinations of workmen, inasmuch as those laws have a tendency to deprive them of the fair use of their skill, and of a just remuneration for their labour; that those laws, instead of preventing combinations, have in fact deprived the working man of every means, except those of combination, of making arrangements with his employer, and of every chance of raising his nominal wages, however inadequate they may be to purchase the quantities of necessaries he has been accustomed to receive for his labour; that those laws, by forcing working men into combinations, have destroyed all confidence between them and their employers, and have substituted in its stead universal distrust, jealousy, and oppression; that in proportion as combinations among classes of workmen have been more or less perfect, and more or less permanent, so has been the amount of the remuneration they have received for their labour, thus making the well-being of a very large portion of the people depend upon an absolute breach of the laws; that notwithstanding those workmen among whom the means of successful combination are most perfect, have received a larger compensation for their labour than those among whom those means have been less perfect, there has been for many years past a gradual deterioration in the condition of even those who have received the largest compensation; that, in the opinion of the petitioners, all laws which interfere with the wages of labour are injurious to the general prosperity of the country, of vast and continually increasing injury to the working man, of no advantage to his employer, but that they are a source of constant hatred, litigation, and oppression, among those whose real interest it is, that a mutual good understanding should at all times prevail; the petitioners therefore pray, That the House will cause inquiry to be made, and such relief to be given to them as may seem reasonable."

Mr. *Ellice* stated, that he had great pleasure in offering his entire concurrence in, and cordial assistance to the measure of which the hon. member had given notice for the repeal of the Combination acts, a subject to which it had been his intention to call the attention of the House. He had been obliged, in consequence of the distresses of his constituents, to appeal to the feelings of the House, in favour of a measure they had suggested for their own relief, and which had been opposed, on the general principle, that it would interfere with free labour; and his only answer to that opposition was, that, although he admitted that any regulation of the price of labour was contrary to principles which all acknowledged, it had been rendered necessary by the repeated violation of those principles, which had produced the distressing effects from which the manufacturing classes were now suffering. He had the greatest pleasure, therefore, in offering his cordial support to a measure which would be the first step towards re-establishing the principle of free labour; and he would cordially and zealously join the hon. gentleman in his endeavours to remove a grievance, of which the operative manufacturer had so much reason to complain, from its partial and oppressive influence.

Mr. *Williams* felt indebted to his hon. friend for bringing this subject before the House. It had been the policy of master-manufacturers and tradesmen, for some time back, to reduce the price of labour, and he was convinced that these combinations were injurious to the best interests of the community.

Lord *Ebrington* entirely concurred in the sentiments expressed by the hon. members who had preceded him; and hoped that some measure to remedy the evil complained of by the petitioners would be adoped.

The petition was laid on the table, and ordered to be printed.

PENRYN BRIBERY BILL.] On the motion for the third reading of this bill,

Mr. *Holford* thought that corruption had not been proved in a sufficient degree to warrant the measure, and moved as an amendment that the bill be read a third time on that day six months.

Sir *C. Burrell* took a review of the evidence, for the purpose of proving that bribery had been practised in the borough of Penryn, sufficient to justify the pending measure. With respect to the proposition of disfranchising the borough altogether, and of granting the right of election to other places, it was contrary to the principle on which parliament had generally acted.

Mr. *Abercromby* declared himself the zealous friend of this measure; but he feared, from the advanced state of the session, that if the bill were sent to the Lords, it would be thrown out. He should therefore suggest, that the bill should be suffered to fall, and that a resolution should be submitted to the House, declaring the intention of the House to resume this measure at an early period of the next session. The bill was a temperate and gradual mode of reforming whatever was evil in the constitution of the House, and must contribute to remove many objections which the more violent advocates for reform were in the habit of throwing out against it.

Mr. *Denison* thought it extremely unjust, that a borough such as Penryn, where the electors were ready to sell themselves for 24*l.* should have the same influence in the House as any county in England, and more than such places as Birmingham, Leeds, and Manchester.

Mr. *Martin*, of Galway, said, that if the bribery-oath had been forced upon every elector of Penryn, there would scarcely have been any corruption to be complained of. He would therefore vote for the amendment.

Lord *Ebrington* thought it would prove of great advantage, if the elective franchise were taken from this borough, and given either to one of the large manufacturing towns that were not represented, or to the great county of York. If the evidence before the House did not justify this bill, he could not imagine any case in which the House ought to interfere.

Mr. *G. Lamb* adverted to the evidence, to show that there existed a general spirit of bribery. If the House did not pass this bill, he should indeed be much surprised.

Mr. *Williams* spoke in favour of the bill. It had been affirmed that the bribery proved against Penryn could be substantiated against every other borough in the kingdom; but this he denied, and defied any man to prove a single similar circumstance against the borough he represented.

Mr. *C. Harvey* was decidedly opposed to such a sweeping measure as this, when by the evidence it appeared, that only a few individuals had been guilty of corruption.

Mr. *Wynn* recommended that the amendment should be withdrawn, and the bill itself postponed, and that some resolutions should be moved expressive of the opinion of the House.

Sir *C. Burrell* expressed his willingness to adopt the course proposed.

The House divided on the question, "That the bill be now read a third time," Ayes, 44; Noes, 22. The bill was read a third time. Mr. Wynn then proposed the following resolution: "That it appears to this House, from the advanced state of the session, that it is not expedient to proceed further in this bill during the present session of parliament." After a short discussion Mr. Wynn withdrew his resolution, and the bill was read the third time, and passed.

## HOUSE OF LORDS.

### *Wednesday, June 23.*

FRAME-WORK KNITTERS BILL.] The Duke of Rutland moved the commitment of this bill.

The Marquis of *Lansdowne* feeling, as he did, for the distress of the individuals whom it was the object of this bill to relieve, regretted that it became his public duty to oppose it; but satisfied, as he was, that the principle of it was most injurious to our manufactures, he must resist its further progress. The object of the bill was, to prevent the manufacture of the web stocking—a cheap article, which had been originally introduced when the market was in a depressed state, and for the express purpose of finding employment for a number of the workmen, who must otherwise have been altogether out of employ; but it appeared to him to be most preposterous now to prohibit the manufacture of this cheap article, in order to attempt to force the consumption of the dearer articles, for the purpose of giving more advantageous employment to those very individuals—an expectation, however, which there was nothing in the evidence to support. He could not conceive any principle more mischievous, than that of prohibiting the manufacture of cheap articles, in order to attempt to force persons to buy dear ones. Were such a principle to be generally acted upon, it must lead to the entire ruin of our manufactures and our foreign commerce.

The Earl of *Westmorland* contended, that the bill was merely a measure of regulation, and that regulations had been frequently applied to other branches of manufacture. Unless this spurious article was prohibited, the whole of the manufacture must be ruined.

The Earl of *Harrowby* observed, that if the cheap article was to be prohibited in this instance, they might as well extend it to other branches of manufacture, and prohibit all cheap articles.

The Marquis of Lansdowne having moved to postpone the commitment for three months, the House divided on the question, that the word "now" stand part of the question. Contents, 25; Not-contents, 27: Majority, 2. The bill was consequently lost.

CASH PAYMENTS BILL.] The bill having been read a third time,

Lord *Holland* said, he could not allow the bill to pass, without recording on the Journals an attempt on his part to accelerate the resumption of cash payments, instead of putting them off for four years. Had he been told at the commencement of the session, that he should give his consent to a measure for postponing for four years the resumption of cash payments, he should have hesitated to believe it; but under the circumstances, if his amendment were negatived, he should certainly feel it his duty to vote for the passing of the bill. His object in moving his amendment, was, that there should be sufficient evidence afforded to the public of the sincere desire of parliament to resume cash payments, particularly after the acknowledgment made by noble lords on the other side, of the error of their former opinions upon this subject. He concluded by moving, to substitute the 1st of July, 1820, for the 1st May, 1823, with reference to the commencement of payments in specie.

The amendment was negatived.

The Earl of *Harrowby* moved as an amendment to the clause which leaves it at the option of the Bank to pay in gold coin or bullion, after the 1st of May, 1821, that the 1st of May 1822, should be substituted.

The Earl of *Liverpool* observed, that if the Bank should at any time reduce their issues, in order to raise the value of their paper, the evil would carry its own correction along with it, for the public would then bring bullion to the Mint at a clear profit. By giving to the Bank the option to pay in coin, they afforded them a motive to accumulate treasure, and as the object of parliament was, that the measure should be gradual in its operation, the amendment was entitled to the consideration of the House. As some misunderstanding had arisen with respect to a statement of his the other night, he wished to repeat that, with the exception of the five millions which would be required to pay the Bank, he hoped no other loan would be necessary during peace.

The bill was then passed.

## HOUSE OF COMMONS.

*Wednesday, June 23.*

CHARITABLE FOUNDATIONS BILL.] Lord Castlereagh having moved the third reading,

Mr. *Brougham* said, that though he should feel it to be his duty to oppose that part of the bill which exempted from the scrutiny of the commissioners those charities which had special visitors yet even if the bill passed with that exemption, it would come near to that measure which he had formerly proposed, and which had been altogether altered in the other House. The bill before the House approached to the nature of the bill which he had proposed, by increasing the number of boards into which the commissioners were to form themselves, and diminishing the number of commissioners in each board. There were now to be five boards, each consisting of two stipendiary commissioners. The boards, too, were enabled to call for papers and records by compulsory process, and there was no danger of its being resisted, as there was no limit to the fine which they might impose. One objection which had been made to the constitution of the commission on its present footing was, the amount of the expense, and the length of time during which the country might have to bear it. It was certainly a ground of objection to a measure, if expense was incurred without adequate cause; but he should show that neither was this the case, nor would the expense itself be heavy. Under the bill of the last session, there were two boards of stipendiary commissioners and one of honorary commissioners, now there were five boards of stipendiary commissioners. If the five boards proceeded according to the rate at which the two boards had proceeded, they would in the year get through 1,200 cases. But there was every reason to expect a more rapid progress. The commissioners would by habit naturally become more expert, and the very knowledge that the commission was in operation would produce such an effect upon the parties concerned, that the labours of the boards would be much lessened. After the inquiry had been further proceeded in, and when the House knew how much had been saved to the poor by the labours of the commission, it would be in their power to apportion a certain share of those funds for the expenses of the commission; for they might reasonably assume, that but for the labours of the commission, those funds would have been lost to the poor altogether.—The hon. and learned member then alluded to the magnitude of the importance of the inquiry, and went into some computations founded on the data afforded by the digest of the returns to the queries of the education committee, to show, that there were in the whole 40,000 charities of all kinds in the kingdom. As to the effects produced by the inquiry, it would be found in the digest that the revenues of the charities in the county of Berks were 3,500*l.*; on inquiry, the commissioners had found them to amount to 5,500*l.* Those in Kent were reported in the digest to amount to 6,500*l.* a year; by the inquiries of the commissioners they had been raised to 8,500*l.* a year. This effect produced, without allowing the fear of inquiry time to operate, and without any legal proceeding, was a pretty strong proof of the value of an investigation. In the counties of Kent and of Berks, the only ones which had been examined into, numerous instances had been found of neglect and malversation. In the elaborate and able report of the commissioners, there was scarcely a page in which some abuse was not mentioned, either in the school or the machinery of each establishment; and there was a prospect that an estate to the value of 4,000*l.* a year would, through the means of their investigation, be ultimately recovered for a charitable foundation. A company who were trustees and visitors of the charity, had carried to their own account the surplus of the rents of this estate, after paying 3 or 400*l.* a year to the purposes of the charity. If, as it seemed probable, this sum was awarded to the charity and nothing more was to be accomplished, the labours of the commissioners would not have been lost. But they had done more by pointing out the almost universal abuse of free grammar schools, which the masters generally regarded as perfect sinecures; for whether from the decay of the places at which they were established, or the smaller importance now attached to the learned languages (the masters generally conceiving themselves bound to teach nothing else), good houses and gardens and glebe land and often ample salaries, were enjoyed by masters who taught no free scholars, but kept private boarding schools for their own profit. In the next session he should have to propose a measure founded on the digest which he had mentioned to the House. But whether or not the House acceded to this proposal, the reporting the names of those who enjoyed the revenues of these schools would necessarily produce a good effect. He should now proceed to state his objections to that clause of the bill which exempted from inquiry such charities as had special visitors. His great reason for opposing the exemption was this—without supposing that there was any connivance on the part of the visitors, yet seeing there was a probability of abuses existing which had not come to their knowledge, there could be no objection to the interference of the commissioners who, would inquire and not act, who would aid and not supersede the visitors. But the exemption of these charities, while others were inquired into, was a gross inconsistency. The exemption of charities having special visitors was defended on the ground that the presumed will of the founder was not to be interfered with; that *cujus est dare ejus est disponere*— that he who gave the property could appoint the person who should inquire into the disposal of it, and that to attempt to control him was to interfere with the sacred right of private property. This, however, was not the principle on which the legislature had proceeded. When no visitors were specially appointed, the founder and his heirs were the visitors. If he mentioned no other visitor, he was supposed by law to have willed that he and his heirs should visit the charity, yet in the statute of last year and the statute of Elizabeth, which went further than the statute of last year (for it constituted not merely a commission to inquire into, but a court of justice to try abuses), all charities not having special visitors were brought under the commissioners. With what consistency then was it said, " We will exempt the charity from inquiry where you have appointed a stranger, but we will not exempt it when you and your heirs retain the management." But if it was argued, that when the founder had shown a *delectus personæ* by appointing a special visitor, parliament should not interfere, because it was implied that the visitor possessed the full confidence of the founder what would be said when the confidence of the founder in a particular person, was so unbounded that he appointed him not only visitor, but also a trustee, manager, or governor? Why, in this case the act of last session, as interpreted by the commissioners, gave them a power to inquire. So that in cases in which the founder reposed a less degree of confidence, parliament would not interfere in deference to his will; yet when he shewed an extraordinary degree of confidence then the commissioners stepped in to inquire. If the House negatived this exempting clause they would confer a benefit on honest visitors: they would supply the deficiency of unfrequent visitations; they would relieve them from the necessity of standing in the odious character of accusers. Arbitrators would be afforded who would examine dispassionately and according to the strict rules of evidence. There were persons, in high stations, who, from their situations, were visitors of many charities, who far from wishing to avail themselves of that clause, were the last persons in the world to desire it. If he failed, which he trusted he should not, in inducing the House to strike out the clause altogether, he should propose an amendment, to allow the commissioners to examine all cases in which the special visitors desired it. He recalled the attention of the House to the striking difference between the present measure and the statute of Elizabeth, which not only gave power to the commissioner to inquire, but to "direct, order and decree." The present bill would (if the clause were omitted) be subsidiary to the power of the visitors—the statute of Elizabeth, but for the proviso, would have ousted them altogether. Even if the clause were rejected, it would be recollected that the universities and the schools under their visitation, and all the great schools, and the charities connected with cathedral churches, would continue exempted. As to the proportion of charities, having special visitors, the commissioners had found out of 260 cases, which came under their cognizance 12 or 14 having special visitors. There were others within the bounds of that inquiry having special visitors, which had not come under the notice of the commission; but at least there were five in the hundred in this condition, which, according to the computation (which however, he believed to be an exaggerated one) of 40,000 charities in England and Wales, gave 2,000 charities having special visitors; and according to the lowest computation, either of the total number of charities, or the average of those having visitors, there would be several hundred of them, and those, as might be expected, of more than ordinary value.

Mr. *Peel* said, he saw so many gentlemen around him much better qualified than himself to enter into the merits of the question, that he should be very brief in his remarks upon it. He must, however, contend, that the argument of the hon. and learned gentleman with respect to the exemption of charitable institutions committed to special visitors, was by no means conclusive; for he could see no reason why the will of the founders of such institutions should be violated; and where by such will individuals holding certain offices were appointed as special visitors, it appeared to him that their conduct should not be meddled with, unless special abuse were shown to have occurred. But how came it that the hon. and learned gentleman had not brought forward a distinct motion with respect to public charities, and the reports of the two committees of 1816 and 1818 regarding them, at an earlier period of the session? So much wit and eloquence had been displayed upon the subject of those

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charities by the hon. and learned gentleman and others out of the House, that he felt quite unable to make any adequate reply to such exhibitions. But it would be recollected, that upon the proposition in that House of the committee of inquiry in 1816, it was never mentioned that any investigation as to charities of this nature was to be referred to that committee. That committee had, indeed, materially exceeded the authority with which it was invested. He was as ready as any man to admit the great advantages derived to the House and the country from the institutions and labours of committees, but he must protest against the right of any committee to exceed the powers granted, or the instructions given to it by that House. The committee of 1816 was appointed to inquire into the education of the poor in the metropolis, and into the way in which the children of paupers found in the streets might be best disposed of. That, indeed, was the specified object of the hon. and learned gentleman in moving for the appointment of that committee. Such, then, being the object, no one could have ever contemplated that such a committee would have undertaken an inquiry into the great scholastic establishments of the country. No one, for instance, expected that any investigation would have been instituted by that committee with regard to Westminster or Eton. It might be said, that some words were added, upon the proposition of an hon. friend of his, to the instructions originally given to the committee, but he was speaking only with respect to the constitution of the committee in the first instance, and he contended that a very wide departure had taken place from that construction, even before the addition of those words. If it were asked, why the attention of parliament had not been called to the reports of the committees of 1816 and 1818, especially in so far as those committees had exceeded their powers, he would reply, that the report of the former committee was not printed for some time after the termination of the session, while that of the latter was not printed until after the dissolution. But if it had been expected that any of those committees were to exercise the power of instituting any inquiry with respect to the universities, it was impossible that the House would not have been more particular with respect to the constitution of such a committee. He meant no reflexion upon the members of the committee, but it appeared that among them there were none connected with or peculiarly interested about the universities; and had the House contemplated that any inquiry respecting those universities was to take place before those committees, he apprehended that some such gentlemen would have been selected to mix with them. But to enable the House to judge of the constitution of these committees, he would read the names of the committee of 1818; and in doing so he had no intention of imputing the slightest charge against any of them. He had divided them into three lists:—the individuals who were generally denominated independent—those who usually took the same views of politics with the hon. and learned gentleman—those whose opinions usually coincided with administration. Those on the first were—

Mr. Butterworth, Mr. Bankes, sir T. Acland, Mr. Wilberforce, and Mr. Babington. On the second were, Mr. J. Smith, Mr. J. H. Smyth, Mr. Lamb, Mr. Warre, Mr. E. Smith, the marquis of Tavistock, Mr. Abercromby, sir J. Mackintosh, Mr. Brougham, sir S. Romilly, sir R. Ferguson, sir H. Parnell, sir F. Burdett, Mr. Bennett, Mr. Calcraft, Mr. Gordon, and lord Ossulston.

Mr. *Brougham*, while the names were repeating, requested that the right hon. gentleman would read them slowly, that he might be able to take them down.

Mr. *Peel* replied, that he understood the sarcasm, but as it did not touch him, he was ready to comply.

Mr. *Brougham* denied that he meant any thing sarcastic; it was necessary that he should be furnished with the names, if the question were made to depend upon the political propensities of the individuals bearing them.

Mr. *Peel* again read the names of the six impartial members, and of the seventeen who usually voted with the hon. and learned gentleman. It seemed that it was in the contemplation of the proposers of the committee, that the universities of England should come under its cognizance. It was therefore to be expected that some gentlemen would have been named upon it, connected by knowledge and interest, with those establishments. Three individuals had been selected who generally voted with ministers; and on them it seemed was to rest the burden of protecting the rights of the two universities of

Oxford and Cambridge; and who, did the House imagine, had been chosen by the hon. and learned gentleman; selected no doubt for their romantic attachment to those great and venerable institutions, where in early life their genius had been nurtured by the beauties of classic lore? Who were the Horatii taken from the Roman camp to be the favoured champions on this occasion?—Sir James Shaw, Mr. Alderman Atkins, and sir W. Curtis. Respectable, most respectable individuals, certainly; but perhaps not the best calculated, from the early attachments of education, to perform the duty to which they were appointed. In this way the committee had been constituted. [Mr. Brougham suggested that other members were added to the committee.] Mr. Peel admitted this; but observed, that he had correctly stated the committee, as it was originally constituted. From time to time other members had undoubtedly been added, particularly when the inquiry was extended to Scotland; but he firmly believed that he had mentioned all the hon. gentlemen who had been originally appointed.—Here the right hon. gentleman commented upon the bill brought forward in 1818, in consequence of the report of the committee, and upon the desire of that committee, that all the members of the proposed commission should be nominated upon the recommendation of the committee, and not appointed by the Crown. But this was not all; for there was this extraordinary provision in that bill, namely, that if any person should refuse to produce any document, or part of a document, with respect to charitable institutions, it should be competent to any two of the proposed commissioners to commit such person to any prison in the kingdom, there to be detained without bail or mainprise, until he consented to the production required. Much had been said of the severity of confining men under the suspension of the Habeas Corpus act; and no doubt such confinement could only be warranted by imperious necessity. But if parliament was so jealous of investing the established authorities of the country with the power of depriving the subject of his liberty, it was surely its duty to guard against the grant of such power to an authority newly constituted, and for a temporary purpose. It was, indeed, most extraordinary to propose, that two of those commissioners should possess the power of sending a man from Devon to the castle of Edinburgh, if he refused to produce any part of any document which they required to see upon the subject of public charity. The proposition of the committee, however, upon this subject was decidedly rejected, and the bill was passed with modifications. He could not avoid adverting to the course which the committee had pursued in some of its examinations, particularly that of the head of St. John's college, Cambridge. When he considered the objects for which the committee was appointed, and the character of the individual alluded to, he certainly thought that matter should have been differently entertained. A question had been put to that respectable individual, as visitor of a school in the north, importing such a charge as ought never to have been insinuated. It would, indeed, have been much better if that question had been omitted altogether. Then, as to the publication of the statutes of Eton college, he condemned that proceeding most strongly, because, by the rules of the college, those statutes were forbidden to be published. But this publication was the more exceptionable, as Dr. Goodall had stated before the committee, that the copy of the statutes alluded to, which that committee had obtained from the British Museum, was exceedingly imperfect. When Dr. Goodall was called upon to produce the statutes, he made the objection that, by the oaths he had taken, and by the will of the founder, he was precluded from so producing them. But the committee thought it proper to procure those documents from another source; and they sent to the secretary of the British Museum, desiring to be furnished with a copy of them (it being understood that one was deposited there), which they procured. [Mr. Brougham here manifested some symptoms of dissent.] He understood the hon. and learned gentleman to say, that there was no objection to the furnishing of that copy; but he was not speaking to that point. He was speaking to the question, whether the committee were authorized to publish to the world, documents which particular individuals of certain establishments were bound to retain in their own possession, by their own oaths, and the express directions of the founder. Here he was speaking of those of Eton college, as well of those which were given, as of those of Winchester college, which were not given. Now, he found that the rev. P. Hudson being asked, "Whether the statutes of Eton were open for public inspection?" answered "No; it was not permitted that they should be." The next question was, "Had they ever been printed?" the answer was "No; that was forbidden." Dr. Goodall was asked, "Whether he had ever seen Dr. Huggett's copy of those statutes in the British Museum?" He replied that "he had; but he knew it to be incomplete." When they were informed that this was the case, the original impropriety of publishing them at all, became considerably heightened. If the statutes of Eton were to be published at all, surely a simple unadorned text ought to have been published. But it so happened, that in the published copy there were marginal notes attached, calculated to give any thing but a fair or just construction, or to convey any thing but a fair or just impression with regard to the subjects they purported to illustrate; and yet bearing all the appearance of parliamentary authority, and consequently calculated to produce an undue prejudice in the public mind. The statutes were printed in the 4th report. They were in Latin, with various annotations. One of them he should especially notice. The right hon. gentleman proceeded to read a passage in the text, and the annotation; which, he observed, was a specimen of their general character. The latter was to this effect—"This vice-provost's book is that generally used in college business; no argument is allowed upon it, and consequently it is generally used." Now those were annotations which ought not to have been published. They were observations not issued under the authority of parliament; or at least he might say, they were an abuse of that authority. He repeated that if it was necessary to publish the statutes of Eton at all, they might have been printed without any marginal annotations, tending so completely as those did to prejudice a clear view of the subject. But there were other circumstances in the conduct of this inquiry about charitable institutions to which he felt it necessary to advert. In the year 1818, parliament was dissolved, and of course, all bodies to which it had committed the exercise of certain powers, committees for instance, were presumed to have been dissolved with it. On this point, however, something occurred, which, although it originated, he had no doubt, in inadvertency or mistake, he felt himself bound to call the attention of the House to, inasmuch as if unnoticed, it might hereafter become matter of dangerous precedent, and interfere with those established forms and usages of which it behoved them to be so observant, and which were of so much importance. The dissolution took place on the 10th of June; and, of course, every body imagined all committees to be at an end, and the proceedings of those bodies to have terminated also: when a gentleman of his acquaintance, quite unacquainted with the course and nature of parliamentary business, sent him (Mr. Peel) a letter, from the country, requesting to know whether the education committee was still sitting? As this was in the month of July, he had no hesitation in acquainting the gentleman in his answer, that they could not be sitting. Now, this was a letter, dated from the House of Commons, 10th July (one month after parliament had been dissolved), franked by Mr. Freeling, and directed to the rev. the minister of ——. The frank contained two letters; one of the 13th of April, signed "Henry Brougham, chairman;" and proposing to the rev. gentleman several questions; and the other of the 10th July, which was of no importance, but as it formed part of a dangerous precedent, if such a practice were to be permitted. As he had observed before, the circumstance might have originated in mistake; he made no charge; but he thought it necessary to call the attention of the House to the matter. The letter, dated the 10th of July, purported to be from the committee of education, and was signed by George Whitham, clerk to the committee. It was a circular directed to all clergymen not having made their reports according to the former instructions of the committee; and after expressing unwillingness to report the individual's name, as one of those who had not so reported, it went on to request that the communication might be immediately forwarded "directed as above," viz. to Henry Brougham, esq. chairman. Now this was really very wrong, and calculated to produce an erroneous impression on the minds of the public, as to the fact of a committee's sitting after the dissolution of parliament. And when they were so scrupulous as to form, let them not be wanting in a due care of those which were immediately connected with the course of their proceedings. The letter which had thus proceeded from the hon. and learned gentleman, from, not to use a stronger term than he meant to do, inadvertency, might, he thought, have been couched in better terms. [The right hon. gentleman then read the commencement of the letter, which was in substance as follows:] —"Reverend Sir; it will be rendering very essential service to the inquiries now carrying on by the committee for the education of the poor," &c. It might have been presumed, therefore, that such inquiries were carrying on by authority of parliament. But what he had most to complain of was, that this letter was sent as from the House of Commons, and franked by Mr. Freeling. It was leading those to whom it was addressed to think that there was an obligation on them to answer it, and in the way required. In one other respect, he must say, that he thought the hon. and learned gentleman had over-rated the powers of the committee. In the letter addressed by the hon. and learned gentleman to his lamented friend sir S. Romilly, there was an allusion to his (Mr. Brougham's) conduct as chairman of that committee, in which their powers were greatly over-rated. In it the hon. and learned gentleman had declared, that he was so studiously determined to avoid all imputation in regard to the extraordinary affair of St. Bee's school, that he appeared at the Westmorland election resolved upon refusing all applications for access to the evidence touching that singular business. Why, he could not give any such information; for information given to such a committee he was not at liberty to divulge. He (Mr. Peel) did not know of a more alarming and important abuse of such powers than the doing so. So far from over-rating the justness of that determination by taking any credit for his forbearance, the hon. and learned gentleman should know that he would have been grossly forgetting his duty, if he had permitted the information to be used at all for private purposes; but much more so, if for electioneering purposes, he had been induced to give such permission. As to what he had observed upon the letters in question, he did think that these were proceedings which, if passed over without any comment, would form most dangerous and inconvenient precedents. He was, therefore, most anxious that this opportunity should not go by, without his entering his protest most decidedly against them. He discharged his duty on this occasion with great reluctance, but this might be the only time that he would have an opportunity of observing on the proceedings in question, and he did not wish to let them pass unnoticed. He thought many of those proceedings were improper; he thought they would form bad precedents —precedents inconvenient and dangerous; he must therefore enter his decided protest against some of them, to afford an opportunity of correcting the inadvertency, if inadvertency it was.

Mr. *Brougham* said, that after the speech of the right hon. gentleman, the House, he was sure, would extend its indulgence to him. He was suddenly called upon to defend his individual character, and that of his colleagues, whose confidence he was proud to have enjoyed from the first day he sat as their chairman, to the last when he reported their proceedings. At a moment when almost the whole of that committee were absent, he was called upon to answer the premeditated and much-laboured harangue of the right hon. gentleman, surrounded by those who doubtless were well aware of the charge to be preferred. While he lamented the absence of the committee, he could not but laud the exemplary candour of those who were taking this opportunity of leaving the House. They hardly yielded in fairness to their right hon. leader. He had, with singular delicacy, selected a moment for his attack, when he thought himself secure of catching the accused unprepared, and having him convicted without a defence. They, content with having heard the charges, were departing quite satisfied of his (Mr. B.'s) inability to repel them. To repel all and each of them, however, he should instantly proceed; and in order to meet the peculiar fastidiousness of the right hon. gentleman on matters of form, and to satisfy his very nice sense of order, of which he had made so mighty a parade in his solemn lecture upon parliamentary procedure, he should begin with giving notice that he would, before he sat down, move to refer the Report of the Education Committee to a committee of the whole House. He felt his situation as almost unexampled. Without any thing like notice, any thing that could give him a suspicion that such a discussion could possibly arise; without reflexion, or preparation, or a single document or note to aid his recollection of details, he was called upon to answer an elaborate and artificial invective against his conduct, and that of his colleagues, from the year 1816 to the present day. But he must meet it. He well knew how he should be treated if he did not. It would be said, that the right hon. gentleman's observations were too strong; that they cut too near the bone; that they were not loose insinuations; that his performance was not composed of school-boy rant, or college declamation; that he was a business-like man, who gave chapter and verse for what he alleged, and dealt largely in names and dates; and if his charges were left unanswered, it was because they were unanswerable. It would be held, that the absence of the committee furnished no reason for delay; that he was himself present, and should require no notice for that which he should at all times be prepared to defend, his past conduct, no matter in what manner arraigned, nor how unexpectedly the charges, so maturely prepared, and industriously gathered from so many quarters, might have been brought together against him. He should therefore forthwith enter upon his defence against that lecture, the produce of the daily toil and midnight oil of the right hon. gentleman, assisted probably by several fellows of colleges, and certainly distinguished by all that knowledge of the law, and custom of parliament, which might be expected in such authorities.

The right hon. gentleman had charged him with grave offences, which he had visited with what he no doubt considered as punishment adequate to the gravest of crimes—the weight of his censure—a censure delivered almost as if it had proceeded from the chair; and which, he must say, would have been nearly as forcible if it had fallen from the chair. In these most unprecedented circumstances, gentlemen were now most unexpectedly called upon to decide against the Reports of the Committee, and against his (Mr. B.'s) conduct and that of his colleagues, and against the conduct of the House in two several sessions, both as regarded their own acts and deeds, and their omissions. But if he did not now satisfy all who heard him, that the committee were right, that he was right, and the right hon. gentleman wrong—if he did not succeed in proving, to the heart's content of every man of common candour and understanding, that the right hon. gentleman was utterly wrong in all the charges he had made—wrong from beginning to end of his laboured oration—if he did not, in a few minutes, and by referring to a few plain matters, strip that performance of every claim to credit—if he did not show him to be mistaken in his facts, out in his dates, at fault in his law, ignorant of all parliamentary precedent and practice, grossly uninformed (perhaps misinformed) upon the whole question, which, in an evil hour, he had undertaken to handle with no better helps than the practical knowledge and discretion of those who had urged him to the attack—then he (Mr. B.) would consent to suffer—what should he say?—to endure whatever punishment the right hon. gentleman might think fit to inflict upon him and his colleagues, even the weight of his censure—which would doubtless, in his own estimation, be quite equal to their demerits, how large soever they might be. But he hoped the House, mercifully regarding his situation while such a judgment was impending, would allow him, ere the awful decree went forth, to avert, if possible, from their devoted heads, a fate so overwhelming. The bill immediately before the House obtained but a small share of the right hon. gentleman's notice. He was not here for that purpose—he was hurrying on to his severe attack—that was what he must get at; the matter in question signified nothing; yet he just said enough upon it to show, that he completely misunderstood the whole drift of the legal discussion. When he treated the argument respecting special visitors as reasoning from analogy—to be sure he made a sort of apology for not being very well able to grapple with such points; but then why did he touch them at all? Would it not have been better to leave them to those who could comprehend them, such as his truly learned and right hon. colleague, and not show himself off in so merciless a fashion? Besides, his incapacity to follow the legal argument, did not make him at all slow to pronounce an unqualified and dictatorial judgment upon it. But all this he soon dispatched, and came to the main business of the day. First of all, the right hon. gentleman had charged him with not having brought forward the subject early in the session, when, it seems, he was anxiously waiting for an occasion of delivering himself upon it. But could he not recollect what had prevented him? Was he so entirely ignorant of what had passed at the opening of parliament? If he was, where could he find another man in the House who had so completely forgotten it? It seems he must be reminded of these things; and he should be reminded. At the very beginning of the session, he (Mr. B.) was prepared to move for the re-appointment of the Education Committee. This was well known; and his determination to make the motion forthwith, was no secret.

On the second night of the session, however, the member for Liverpool came down with a notice from his noble friend (lord Castlereagh), who was generally considered as the organ of government in that House; whether he was so or not he would not now stop to inquire, perhaps the right hon. gentleman and he differed on this point also—but be that as it might, he, and he believed the rest of the House, were wont to regard the noble lord as the leading personage on that side. The tendency—the necessary effect—nay, he might say, the avowed intention of that notice was to make him postpone his motion. He thought he was the more safe in doing so, as the right hon. gentleman had not then assumed the guidance of affairs, and the notice was a statement that the noble lord, as minister of the crown, intended immediately to introduce a specific measure, which would render it unnecessary. The right hon. member (Mr. Peel) knew of this; he knew that it must have the effect of silencing him (Mr. B.), and yet he now came forward and taxed him with having refrained from proposing any measure until the end of the session. His only object in proposing the re-appointment of the committee was for the purpose of supplying the defects of the measures adopted last year. He came forward openly and fairly to complain of these defects—he did not lurk behind—he did not allow the proceedings of 1816, 1817, and 1818, to go unnoticed. He disapproved of the measure proposed by government—he lamented the course which had been followed, and he fairly avowed his disapprobation of it. He felt it necessary to back the commissioners with the ample powers of a committee, as he thought the powers vested in them insufficient to attain the end proposed. This was one reason for moving the re-appointment. But the noble lord's measure was announced to be an augmentation of the powers of the commissioners; another reason was, that the objects of their inquiry had been limited, and a committee would be desirable to investigate those cases which the board were prevented from examining. But the noble lord's notice comprehended an extension also of the objects of inquiry. Here, then, was a prospect held out of such a measure as might render the re-appointment of the committee wholly unnecessary; but at any rate, until it was seen what the measure was, who could for a moment expect him (Mr. B.) to persist blindly in moving for the committee? What man in or out of the House but must have perceived that the notice at once and effectually suspended for the present his further proceeding. "But," said the right hon. gentleman, "who could have thought that a committee appointed to inquire into the education of the poor of the metropolis, would have called before them and examined the masters of Eton and Westminster!" That the master of Eton school had been, prior to last session, called before the committee, he much doubted.

Mr. *Peel*—"I said, the master of the Charter-house school."

Mr. *Brougham*. Well then, the hon. member now expressed his surprise that the masters of Westminster and the Charter-house schools had been examined. Did not the right hon. gentleman know this from the report of the committee in 1816? Had he not the evidence of his senses in that report, that those examinations had been entered into? He, in his turn, had a right to marvel—to lift up his hands and eyes in wonder at the conduct of the right hon. member. Was it not food for astonishment, to those who after could feel astonished at any thing, to perceive that the right hon. gentleman, notwithstanding the evidence then before him, should have waited until 1819 to remark on the manner in which the committee had overstepped the bounds of their instruction in 1816? The natural time to complain of the inquiries of 1816, was when the result of them was laid on the table, and discussed and animadverted on by others. The right hon. gentleman, it is true, was not then installed in his present academical situation, and he was only looking upwards to the height which he has since attained. But the iniquities which had escaped the penetration of expectant zeal, were again overlooked by the circumspection of the right hon. gentleman in calm and quiet possession. When others objected to the proceedings of the committee in 1816, and among them, the member for Liverpool, who in a fair, manly, and candid manner took the first opportunity of expressing his doubts whether the committee had not gone too far, the right hon. gentleman, now all-clamorous with astonishment at events three years old, was then dumb, not with wonder but indifference, at the same events quite recent, or happening before his face. But in 1817 he was in the House when the committee was re-appointed—had he disapproved of their former conduct, he might have opposed their renewal. At any rate, if he deemed that they had, through mistake of their powers, exceeded the authority under which they acted, as he says he blames nobody—he only regrets and observes—and far be it from him to impute any motive—surely it would have been but fair to have warned the committee not to pursue the course into which they had been betrayed by their zeal when acting formerly under the self-same commission. But no such thing—still not a whisper from the right hon. gentleman. In 1818, the same profound silence, when the committee was for the third time appointed; and afterwards, day after day, for weeks, to the very end of the session, when reports were laid upon the table, and made the subject of constant discussions; although he was now member for that body which he now so faithfully represents—a body whose attachments to constitutional freedom stands recorded in every page of our history—it seems that he alone of all in, and almost all out of the House, heard nothing of what was doing in the committee. But though his ears might be closed to every thing that passed around him, surely his more faithful eyes could not have deceived him when the printed reports were put into his hands. Besides, the committee was not a secret one; it was open to all the House; any member might have attended; many in fact did attend daily, who did not belong to it. The whole proceedings—the very inquiries into schools and universities, were in all men's mouths—they formed the topic of general conversation—the town as well as the college talk. The right hon. gentleman must therefore have heard for years of what he now inveighs against with all the artless ardour of fresh passion, and the innocence of ingenuous astonishment. Then, when the dreadful mischief might have been stayed in its course, if not prevented, not a sign was made, not an expression even of warning escaped him. Now, when it is all over, and most people have forgotten the whole matter, he had come down straining with wonder and indignation. By way of aggravation of his charge, too, he now urged, that one of the instructions of the committee which presumed to inquire respecting the public schools, had been, to consider the state of the children of paupers found begging in the streets of the metropolis. Did he not know the history of that clause in their instructions? Had he never heard (what all the House knew), that it was no part of the original instructions under which the committee acted? Could he be ignorant that it was added some time after the formation of the committee on Mr. Rose's motion, and that no one but Mr. Rose ever paid the smallest attention to it? But whatever might be its origin, surely he must know that it formed no part of the instructions in 1817 and 1818, when the inquiries that chiefly alarmed him were perpetrated. How, then, did it happen, that his serenity of mind had never been in the least degree ruffled in 1816, when the committee, acting under such an instruction, presumed to examine the Charter-house and Westminster-school; but now when the committee had been appointed without any such limitation at all, he is utterly astounded at finding it proceeding as he had quietly and without one gesture of surprise suffered it to proceed three years ago, while the clause about beggars' children was in force. To be sure, it might not then have been so easy to raise an outcry against the committee—because the foul misrepresentations of its conduct out of doors had not been disseminated, which made it now somewhat safe to join in the attack. But be the reason what it might, certain it was, that until that very evening not a twinkling spark had been descried of the fiery zeal which had now burst forth for good order, and the foundations of the establishments, and the regularity of proceedings, and the rights of the subject, and his defence against the aggressions of committees. All was then gloomy in the quarter from whence had now proceeded a blaze, no doubt intended, or probably expected utterly to consume the committee, and all its works, and from which it was very strange, he could not tell how, except by God's good providence, they had escaped unscathed.

However, as, after all, (incredible though it might appear to the right hon. gentleman), the fact still seemed to be, that they had survived, it remained for them to pursue their defence the best way they could;—and he should next advert to the charge of having packed the committee, than which he never yet had heard any more groundless accusation, nor one supported by such an entire contempt of all facts and dates. But first, suppose he had named a greater proportion of his own friends upon it—was there no precedent for this? He should remind the right hon. gentleman of the course taken by some folks when they had the naming of committees—committees too in which the complexion of men's general political opinions and party attachments was infinitely more important than in an inquiry concerning the education of the poor. He should take the very last select committee named by the right hon. gentleman's friends—the finance committee. Of twenty-one, who composed it, at least twelve were members who always vote with government, but he believed he might rather say, fourteen; however, suppose them to be only twelve, four belonged to those whom the right hon. gentleman called neutral, and treated as a class of little account; neither one thing nor another; a milk and water compound: so that there remained only five Horatii, to make a stand for the constitution [Mr. Peel said across the table that there were only three Horatii]. Mr. B. continued—He was quite aware of that—he was speaking of their character, not their numbers; but, indeed, any one might have known the number of the Horatii who had happened to frequent the opera-house of late years, even though he might not have had the advantage of a Christ-church education. However, the right hon. gentleman had himself kept to the real number of the Horatii only by mis-stating the numbers of the ministerial members on the education committee. If he had been content to adhere to the fact, as he should now prove from the list just put into his hand by the worthy person at the table, he would have been compelled either to abandon his jest from the Roman history, or to increase the members of the Horatian family. Instead of the three worthy aldermen who had been called by such classical names, and who were broadly stated to be the only members from that side of the House, how happened it, that the right hon. gentleman had thought proper to leave out some eight or ten others of the same description? Was Mr. H. Wrottesley, for example, a gentleman who usually now voted on his (Mr. B.'s) side of the House? Was Mr. Holford a member who had ever so voted? Was Mr. C. Grant? Was Mr. Sheldon? Then why had he passed over all these names in order to allege that there were but three ministerial members named? But he had left out a number of others; and it would not do to say that they were only added when the committee extended its inquiries to Scotland. Some had been put on long before any such extension was in contemplation. Here Mr. B. went into the dates of these several appointments, and enlarged upon the constitution of the committee, and the party connexions of the members. The committee was admitted on all hands to have been selected from every part of the House. The right hon. gentleman had himself admitted, that there were members from various sides, and had descanted learnedly on the different squads and sections. The nomination of the aldermen seemed, indeed, to puzzle him; but it was strange, that one who had received so liberal an education that he thought nobody else knew any thing, should be unable to explain this phœnomenon. Did it never occur to him, that as the committee was originally appointed to examine the state of education in the metropolis, so it was a matter of course, according to the every day's practice of the House, to name the members for London and Westminster. They were therefore named, with the exception of Mr. Alderman Combe, whose health had prevented his attendance for a session or two. But were the interests of learning and the rights of the Universities left to the protection of those worthy magistrates? They served well indeed, giving their patient attendance while the city charities were inquired into; and neither keeping out of the way while the matter was discussed, nor throwing invidious obstacles in the way of investigation. But there were others on the committee in whose hands the cause of learning seemed to him almost as safe, as in those of the right hon. gentleman, who would suffer no one but himself to touch a college or a school. What did he think of sir S. Romilly, of sir J. Mackintosh, of Mr. F. Douglas, of Mr. W. Lamb, of Mr. Wilberforce, of Mr. Smyth, the member for Cambridge? And how happened he, in his much meditated lecture of this night, to have overlooked all those names, in order to represent the great establishments of education, as left to the protection of three aldermen? But if a sufficient proportion of such members had not been chosen, whose fault was it? Had he (Mr. B.) ever thrown the least impediment in the way of increasing their numbers? What gentlemen had ever asked to be added, whom he had not on the spot moved for? Whose nomination had he ever opposed? Did he not himself propose in the course of the inquiry, from time to time, seven or eight names besides those he had mentioned, all of them ministerial members? He might instance sir J. Graham, when the St. Bee's affair was to be examined,—the Lord Advocate, lord Binning, Mr. H. Blair, Mr. W. Douglas;—Mr. Boswell, when the instruction was given as to Scotland;—and all these members took part, of course, in the other inquiries, as well as in the single half hour devoted to the Scotch part of the question. If the right hon. gentleman had desired to add any other names, could any one for a moment suppose that it would have been objected to? Can he himself really believe, that he (Mr. B.) would not have been glad to adopt any such proposal? Why did not he come forward with it at the right time? Why not ask to be on the committee himself? A single word, a hint, would have sufficed, as he (Mr. P.) well knew. He must know that he, and as many of his friends as he might choose, would at once have been added. Then, why did he not pursue so obvious a course, at a time when he seemed to have heard of nothing from day to day, but the inroads made upon the universities? It was mighty well to complain of those attacks, now as something sacrilegious, for the purpose of aiding in the House the insidious or ignorant clamours raised out of doors. But where was he while the deeds of violence were doing, and before they were yet consummated? Then was the time for him to have come down, protesting, and declaring, and imploring—but no,—he saw Oxford menaced, Cambridge invaded, Eton insulted, Winchester sacked, and still he made no sign. The imminent danger even of his own *alma mater* could not draw a word from him; he left her with the rest to be defended from the outrages of a revolutionary committee, by the prowess of the worthy and Horatian members for the city.

So much for the formation of the committee; it was fit now to see what its conduct had been when its operations began. But here he must again complain of the unfair time and manner of this attack; he was left almost alone to defend the committee. As far as argument went, perhaps, he had no right to complain of this, for it might be said, that it was his duty to be master of the subject; but was it nothing to be left without witnesses to his statements of fact? The worst insinuations, the most unfounded statements, were flung out respecting what passed in the committee. Was it nothing to stand there deprived of the testimony which every one of his colleagues would have been ready to give in his favour, had they been present, and which all of them would, he well knew, have hastened to their places for the purpose of giving, had they suspected that an attack would have been made, of which no mortal could possibly have dreamt!—Nevertheless, without the benefit of such irrefragable evidence, and at a distance from every document or note which could serve to assist his recollection, and without a moment's notice to turn over in his mind the various details over which the right hon. gentleman had been poring, he found himself dragged into the discussion of all that had passed in the committee, from 1816 to the dissolution of the late parliament. But he did not in any wise shrink from the task. He should leave no one remark of the right hon. gentleman unanswered. He trusted to the indulgence of the House, in permitting him thus closely to follow him, as it must be evident that the office imposed on him was not of his seeking; and he again plainly put his case on this issue,—that the right hon. gentleman was utterly wrong in every tittle of his accusations, and that he himself was content to have it said he had done nothing, if he did not succeed in proving him to be so.—But the right hon. gentleman said, and repeatedly said, that he preferred no charges. Far be it from him to impute any impropriety; for his part, he blamed no one in any respect. He was the last man in the world, to make personal allusions; no he, indeed, nothing of the kind; and the charges were many on these disclaimers all through his speech, or rather through a great part of it; for they were thickly sown among insinuations, and charges, and personalities as thickly sown. Each succeeding accusation was prefaced and concluded by some such denial of all intention to accuse any body of any thing. And the speech was wholly made up of invective, save and except the portion devoted to those denials of any design to inveigh. But what signified such special disclaimers, in an harangue, which, from beginning to end, was one undisguised chain of inculpation? Or who did he think he had to deal with, that was likely to regard the parentheses, and overlook the substantial parts of the discourse, among which they were interjected? For his part, he must view all those candid professions as mere surplusage, and pass them over as wholly immaterial to the body of the charges into which they were so lamely and uselessly introduced. In this spirit the right hon. gentleman said, he would not affirm the committee had acted wrong; but he would assert that it was necessary to watch with great strictness, all recommendations coming from committees, and to scrutinize all measures grounded upon them; in illustration of which position, he referred to the clause in the original bill, giving powers to the commissioners to compel disclosure, by imprisonment of refractory witnesses. Now, a more unhappy instance of his maxim he could not have given; for it did so happen that the clause, which he read with so much pomp and circumstance, was no invention of the committee; and did not originate in any recommendation of theirs; but was copied verbatim from another act of parliament, the handy work of a ministry, to which almost all the right hon. gentleman's friends belonged: it formed a distinguishing feature in the most remarkable measure of that administration. He begged leave to refer him to those around him (Messrs. Vansittart, B. Bathurst, lord Castlereagh, &c.), for a more detailed account of its merits, and should content himself with reading the words of the statute, in order to show that they had been copied literally [Mr. B. here read the clause from the act of 1802]. This provision, however, brought forward by lord Sidmouth, and supported by all his colleagues, was now an object of unspeakable alarm to the right hon. gentleman, who showed such a true regard for the liberty of the subject as was truly touching, but not very happily timed; for all this work was made about a clause that never passed; and yet its rejection was not even in the least degree owing to the right hon. gentleman. Greatly as he dreaded such a provision, fatal as he deemed it to the rights of property, and hostile to every principle of the constitution, it might have been the law of the land at this day, for any thing he ever did or said while it was in the House, and under discussion. Till that day, he had never opened his mouth upon the subject. Very different was the conduct of the member for Liverpool, whose manly and consistent demeanor, it was impossible not to praise as often as it was mentioned, even at the risk of repeating the same expressions as he had before applied to it; but when a person acted again and again in the same laudable manner, it was a consequence, that the example which he set, drew forth a repetition of the same commendations. He from the first objected to the clause, not as coming from the committee, but on the ground upon which he had originally resisted it, with great energy and ability, though without success, when lord Sidmouth formerly introduced it. He did not lie by until the eleventh hour; or rather until the work was done, and nothing remained, but to carp and cavil. He did not keep up his objections, or leave others to urge them, and a year after they had prevailed, come forth with a solemn denunciation of mischievous intentions, which he had done nothing at the moment to frustrate or oppose. Those parts of the bill which he disapproved of, he resisted openly and fairly, and at the time when his objections might be effectual; and if there were any parts of which he had not then expressed his dislike or doubt, he at least did not now for the first time, rise up and pronounce a sentence against them.

The grand charge against the committee was, their examining into public schools and colleges. They had been attacked as if they had run a muck indiscriminately at all the seats of learning in the land. The prominent part of this charge was, their having dared to call before them the master and senior fellows of St. John's, who were described as having been sent for abruptly to disclose the mysteries of their house, and treated rudely in the examination. Every part of the accusation was unfounded. The facts as they really stood were these: Pocklington school in Yorkshire, had long been the scene of great and most notorious abuse, and the committee were desirous of inquiring into it. It appeared that the master of St. John's was the visitor of the school, and that he had recently exercised his office (though for the first time it might be remarked), by twice sending the senior fellows there to inquire and report. They had but just returned from the second of those missions, and the master himself had been with them. The propriety of at once examining those learned and respectable persons themselves, both as to the nature of the endowment, and the result of their own inquiry, was obvious. It was both more fair towards them, and more expedient for the investigation, than to seek for information from less authentic quarters. But there was no pleasing some folks in the mode of proceeding, except perhaps by doing nothing at all. If the principals were called, it was denounced as an outrage upon the heads of houses, who were pathetically described as dragged before an inquisitorial committee; if the school-masters or the neighbours alone were summoned, the evidence was decried as drawn from imperfect, or partial, or tainted sources. Well, the master and fellows were examined; but he positively denied that any discourtesy was practised towards them by himself, or by any member of the committee, as far as his recollection served him. In the course of a long examination, in which a number of persons bore a part, it was impossible for him to remember every question put, or remark made, any more than he could be answerable for each interrogatory that appeared on the minutes, though he had repeatedly seen himself made responsible for parts of the investigation in which he had never interfered at all, either by bringing forward the case, or asking any of the questions. But he repeated, that he had no recollection of any one thing having passed which could be represented as deviating from courtesy towards any witness, either in the substance or in the manner of the examination. Persons who hastily read the evidence, had mistaken for a sifting cross-examination of Dr. Wood, what was in reality only a repetition of questions made (and acknowledged by himself at the time to be so) for the purpose of enabling him to give a more explicit contradiction to reports, very prevalent, respecting certain fellowships of his college. But he appealed to the members of the committee who assisted at the examination, if any were present, whether he or any other witness had a right to complain of his conduct in the chair. He had accidentally heard of ample testimony having been borne to his demeanor by a most respectable gentleman, wholly unknown to him, and in politics constantly opposed to him (Mr. Sheldon), a friend of his from the north, having seen the falsehoods so boldly and so industriously propagated respecting him, and being, from his knowledge of his (Mr. B.'s) habits, somewhat surprised at finding how violent and rude an inquisitor he had all of a sudden become, had not unnaturally asked Mr. S. if it really was so; but he had been much relieved by finding that gentleman express his great astonishment at the imputation, from having been himself present at the investigation as a member. But he must protest against this novel method of imputing all that is done in the committee, and recorded in its minutes, to the chairman. The right hon. gentleman had acutely and learnedly classified the members of it into various divisions and squads, as he termed them. The majority of those who gave their attendance were not his (Mr. B.'s) political friends, but his own. Some were of a third party—some had leanings—some were of no party at all. As soon as a case was entered upon, or a witness called, the members of both sides, or rather of all the five sides—plied him with questions, some more, some less regular and judicious. It was impossible to prevent or control all their observations. Was he, then, to be answerable for the sins, not only of himself and his friends, but of all the rest? Was he chargeable with the irregularities of all the squads—of whatever might be done by this motley committee, this pentagonal body, in the course of a long and animated proceeding?

But to return to the specific accusations. The right hon. gentleman was pleased with even unusual solemnity to attack—he ought perhaps rather to say, reprimand them, for what he termed the disregarding the obligations of the Winchester oath, compelling the fellows to produce the statutes which they had sworn to conceal, and then publishing these arcana to the world. The right hon. gentleman should have learnt the case better before he set to getting up his lecture. If it did not suit him to attend the committee, he should have informed himself, at least, of the elements, the mere a, b, c, of the controversy, before he ventured to take a part in it—a part too, evidently intended to be so very prominent. The Winchester statutes were never published at all—never—and purposely, because, on account of the oath, it might be deemed objectionable to publish them, or disclose more of their contents than was absolutely necessary for the investigation. The right hon. gentleman was thinking of the Eton statute; but then there was no oath at all pleaded in the Eton case—and, indeed, none existed to plead. This might be enough, to show the candour, or let it only be called the accuracy, of the right hon. gentleman, and his qualification to join in this discussion with so authoritative an air and tone. It might be a caution to people before they begin lecturing, to learn a little. But the whole accusation about the Winchester oath was equally founded in a gross ignorance of what had really passed, and an entire disregard of the established law of parliament. Surely the right hon. gentleman had never taken the trouble to read the oath which he gravely charged the committee with forcing the fellows to violate. Had it contained no saving clause, still the committee had an unquestionable right to disregard it, and compel those who had taken it, to produce their statutes. No such oath is in law binding, or can stop the course of justice in the lowest tribunal known in this country. Far less can it be obligatory on persons under examination before the House of Commons. But it happened that there was an exception in the oath, and a pretty large one; and one, too, which had been very liberally acted upon by those who took it. They swore not to reveal—"nisi quâdam necessitate cogente, vel utilitate suadente,"—and they added, that they were themselves to be the judges of both the necessity and the utility—how had they acted upon this? It appeared from their own statements to the committee, that as often as any end whatever was to be served for the college, they produced their statutes with all freedom, and made them as public as the occasion required. They exhibited them in all suits in courts of law—they laid them before courts of equity—they gave them in the whole, or by piecemeal, to their solicitors and counsel, in discussions before the visitor; and when it was deemed expedient for their interests to have reports of those proceedings published in pamphlets, they allowed large extracts of those most secret and mysterious documents to be printed; and Mr. Williams, the barrister, one of their counsel, and one of their own body, who had taken the oath himself, told the committee that he had, in publishing a report of one case, inserted parts of the statutes in it, and not only those sections which had been used at the trial, but other passages, which he printed in a note, for the further illustration of the Winton argument. He (Mr. B.) had no manner of doubt, that this use of the statutes by his learned friend came strictly within the letter of the salvo in the oath; because he was sure the pamphlet, if not required by some necessity, was very likely to prove of great utility. But then, what could be more absurd than to set up such an oath, so limited and so observed, as a bar to the jurisdiction of the House of Commons? What more ridiculous, than to fancy that it prohibited the production of those statutes, even according to the strict letter, in the course of their lawful investigation? They had not been called for rashly, or peremptorily, or without the fullest deliberation, and the most careful examination of the scruples which might arise from the oath. All that could be urged by those who had taken it, was fully heard from themselves, and after maturely weighing it, the committee came to the only decision which they could give without at once abandoning the whole rights of the Commons, and overturning every thing like the law and the privileges of parliament. But in the exercise of their discretion, though the right was undeniable, they had limited the exercise of it by the exigency of the occasion, and had refrained from printing the statutes in their minutes. With respect to the Eton statute, the case was different. There no oath interfered, and they were ordered to be printed, as well as those of Trinity and St. John's; that in case there be in practice any deviations from them, it may be observed, whether they are all such as change of circumstances warrants, or even makes an improvement. But the right hon. gentleman finds out, or somebody tells him, of a marginal note in the Museum copy of the Eton book, and which, it seems, has been printed with the rest of the manuscript. Of the existence of that note, he (Mr. B.) positively asserted, he was unaware till he heard it read now. It had entirely escaped him; and he had no hesitation in saying, that he disapproved of its having been printed. But it was reserved for the peculiar spirit and temper in which this controversy had been carried on, to pick out a little typographical oversight in a volume of many hundred pages, and charge it upon the chairman of a committee, who must indeed be endued with omniscience as well as excessive industry, to prevent all such accidents from happening.

He begged pardon of the House for all the particulars into which he was forced to enter, but he rather apologized for the right hon. gentleman than for himself; he stood far more in need of such indulgence. A very serious and alarming charge followed next—that of prolonging the operations of the committee after the dissolution; continuing, as it were, the noxious existence of that hated monster, after the period of its fate had arrived. It seemed that,—marvellous to relate,—at the distance of one whole month from the end of the session, a circular is found, signed by a clerk of the House, who had been clerk to the committee, and yet,—more prodigious to tell,—sent free through the post office. Now, he gave up the whole defence, if this, which was attacked as a dangerous innovation, was not found to be the uniform practice of every committee in every session, and absolutely necessary to the expediting of the public business;—if what the House was warned against as alarming and strange, and leading, no one could say to what consequence, had not been constantly and most notoriously done, from all time, down to the present day. Let but one session of parliament be shown in which any such inquiries were going on to the end of the sitting, and in which the prorogation prevented the work of digesting and correcting, from proceeding, and he was willing to stand convicted of having introduced a new practice,—a great improvement in the method of carrying on such inquiries. In fact, the question would not admit of any doubt. Every one knew that, long after the end of each session, the reports and other papers of that session were printed or circulated, and many of them finished. And there was not in this respect the smallest difference between the end of a parliament, or of a session, or between one kind of work upon the papers and another. But for such a convenient irregularity the parliamentary business would be suddenly stopped by each prorogation; nothing would be done till next year, and then a mass of matter would be poured at once upon the House and the public, which never, by possibility, could be turned to any account—beside the necessary suspension of the new business, in order to finish the digesting of the old. The right hon. gentleman, if he had been at all acquainted with the practice of parliament in the best times, and under the sanction of the highest authorities, could never have brought forward such a charge; and if he was so miserably ill-informed on these matters, and gathered his notions of parliamentary usage from persons who knew—who could know, nothing whatever about it, what business had he, upon no better foundation than his own ignorance and theirs, to rear up the presumption with which he brought forward his accusations? Take the plan of the right hon. gentleman and his instructions,—adopt his new law of parliament,—let the close of each session not only stop short every investigation in which the committees were engaged, but stay all steps toward preparing for the use of the House the results of inquiry already obtained,—and the necessary consequence must be, that not a tittle of the matter required for deliberation could be arraigned or distributed, until at length, the next session saw the House overwhelmed with such a mass of papers as defied all reading, arrangement, or understanding.—But he had well nigh forgotten the dreadful circumstance, the ground of so much amazement and protestation, that the Circular of July was dispatched in a cover, signed by Mr. Freeling, and went free from postage.—For this extraordinary natural appearance, the right hon. gentleman could by no means account. He (Mr. B.) wondered, in his turn, that a theory for explaining it had not presented itself to a person who deemed so highly of his own learning. It might have struck him that there was no other means of sending letters post-free, and that the post-office having received instructions to forward the other circulars under covers, signed by Mr. Freeling, the same covers were naturally enough used upon this occasion also.

But he (Mr. B.) was fated, it seemed, to answer for another circular letter, written still longer after the dissolution, even in the present session, to the parochial clergy; and that letter was represented by the right hon. gentleman as tending to deceive those to whom it was addressed, into a belief that the education committee was still in being, and that the application was made under its authority. Unfortunately for the right hon. gentleman, the letter in question was only resolved upon after the utmost deliberation, and was then worded with very great care to avoid all possibility of misconstruction. For he (Mr. B.) was well aware when that letter was sent, whatever he might have been before, of the endless variety of malignant misconstruction, and foul and wicked misrepresentation to which any man exposed himself who acted for the benefit of the poor, with disinterested motives, and without fear of obloquy, exposed the hidden mysteries of abuse. He had slowly and reluctantly determined upon issuing that circular. He had before been obliged in his official capacity to give much trouble to the clergy,—he meant the residing parish working clergy—the honest and pious men, who for a very moderate recompense, discharged most important and laborious duties, to their own immortal honour, and the unspeakable benefit of their fellow-creatures. Their conduct throughout the whole of this inquiry had been far, very far above his praise; yet still he intreated them to accept so humble a tribute to their great merits—for their honest zeal—their unwearied benevolence—their pious care of the best interests of their flocks, shown forth in their universal anxiety to promote the great objects of the committee—the education of all the poor. He had been most unwilling to press harder than was absolutely necessary such willing fellow labourers, and he had therefore delayed sending the circular in question, which had for its object to obtain the same information as to unendowed schools, as the former letter had procured respecting endowments. The first letter had been dispatched at a time when the bill was expected to pass with a clause requiring the commissioners to examine the state of education generally, as well as the abuse of charities; it was therefore principally calculated to obtain such information respecting endowments, as might serve to direct the inquiries of the boards. When that clause was, with others, struck out, the returns became the only source from whence the general information respecting the state of public education could be obtained. It was therefore most desirable to supply the defects in these, as far as regarded the unendowed schools. Yet, as a considerable proportion of the returns to the original circular had, through the praiseworthy zeal of their reverend authors afforded the information required, he had, for a considerable time, indulged a hope, that a sufficient number might be found upon which to form an estimate of the average for the whole country, and thus to preclude the necessity which he so greatly desired to avoid, of giving the clergy further trouble. With this view, besides long and repeated consideration of the details by himself, he had consulted professional gentlemen deeply skilled in calculation; and it was not until it appeared impossible to trust the average obtained from the full returns, that he reluctantly had recourse to the circular in question. There were living witnesses, perhaps not very far distant, to the repugnance which he felt to taking this step,—not indeed through any apprehension of incurring the right hon. gentleman's displeasure (which had never once crossed his mind, and if it had would have left a very slight impression), but from tenderness towards those most excellent persons upon whom it was to impose a new task. When he had resolved upon issuing it, he had weighed the terms of it with extreme care, to guard against the very imputation flung out by the right hon. gentleman, of usurping an authority with which he was no longer invested; not that he felt this at all needful, were he to be judged only by those who knew him; not that he should before the commencement of this controversy have thought such a precaution necessary, even to prevent misconception in the world at large—for he had yet to learn the risks which a man's character runs, for merely employing himself in the disinterested work of befriending the poor;—but the circular was written when he had been made aware of this danger; and he studied (in vain as it now seemed) to guard against misrepresentations which he now saw would be attempted to describe all he did as encroachment and usurpation. In the simplicity of his heart, he imagined that he had succeeded. That night had showed him how meanly he had estimated the inventive subtlety, and the unconquerable pertinacity of polemical malice. For they in whose hands the right hon. gentleman was an instrument of aggression (perhaps more accommodating than powerful) had discovered that the language of the letter was that of assumed official authority. It alluded to inquiries going on with respect to public education; and were not such inquiries in progress when he had laid reports respecting them upon the table, given notice of a measure to be brought forward; and informed the House that the digest of the returns was preparing, and would be printed from time to time? But could the most defective understanding of the person least acquainted with parliamentary proceedings, suppose that a letter was officially written by a chairman of a committee, in which the writer began with saying that he should consider it as a favour if the person addressed could conveniently give him certain information; and concluded with begging him to date his answer, if he should be kind enough to oblige him with one. Was that the style of official letters—of requisitions and precepts from chairmen of committees? The first circular from himself as chairman had been very differently worded. "I have to require that you would return answers to the following queries."—And the difference in the style was perceivable by every person who received the second letter; for every one had previously received the first, and the second expressly referred to it. Indeed, with the inconsistency which has marked every step of the adversaries of education, this first circular has also been attacked—it was uncourteous and peremptory—and there was a doubt expressed of the committees authority to issue it. As for the style, it was less peremptory than the established form of an order for the production of a paper, or attendance of a witness. That form begins, "It is ordered that A. B." &c. The circular began "I have to require," &c.—As to the right of demanding answers—any doubt of it was bottomed in the grossest ignorance, and the most childish inattention to the shape of the proceeding. The committee had a right by their instructions to send for all persons, papers and records. They might have summoned the clergy to Westminster to be examined. Was it not a relaxation of this right, to allow them at their own homes to answer the circular queries?—He did not impute all this wretched blundering to the right hon. gentleman. His objections could not have originated within these walls. They must have been gathered from some coarse manufactory abroad. But he should have been far above suffering any designing or bigoted person from getting possession of him, and pursuing him in so great a matter. [Mr. B. here entered into some details respecting the Digest of Education—which he was enabled, with the aid of his reverend coadjutors, to make so perfect that it would be easy at a single glance to see, not only what the general state of instruction was for the whole community, but what were the most minute details, connected with the subject in every one village and hamlet throughout the whole island]. This good work he trusted would not be impeded by what had passed that day, though he doubted not there were some persons out of doors who indulged hopes that it might. He should, for his part, persevere. He was beset and attacked at every step, as if he was pursuing some object of personal advantage or aggrandisement, and as if the enemies of the cause supposed, that a person giving up his days and nights to such a work, must needs have some bad purpose to serve. But he should leave it to time, and the contempt of the community to cure them of such absurd prejudice, which he assured them gave him no sort of angry feeling, and only moved his pity.

The last charge preferred by the right hon. gentleman was of a singular description. It was not for any thing which he had either done or left undone in the committee, nor indeed for any substantive part of his conduct at all, either in or out of parliament; but it seems he had in his letter to sir S. Romilly taken credit for not doing something, which if he had done, he would, in the right hon. gentleman's opinion, have been guilty of a breach of duty as chairman. Perhaps he ought to be sufficiently well pleased to find the gentleman and his instigators reduced to such flimsy accusations as this, which, if well founded, was really no very mighty matter. But it happened to be, like all the rest, quite groundless. He did not exactly recollect the words used by him; he had not of late been so conversant with his own writings as the right hon. gentleman seemed to be, who he was sorry to see had thrown away much valuable time upon what he feared he might find an unprofitable study, at the best, but the more especially if he did not comprehend what he read. He should, however, take the quotation as given by him—and to what did it amount? Only that, in order to prove how little truth there was in the charge so often reiterated, from the first day of these discussions to the present, of his having been actuated by party views in the committee, he had cited the known fact of his having refused his partisans in the North, access to the evidence respesting St. Bees school? But how could he have granted this access, said the right hon. gentleman, without betraying his trust as chairman? Why in various ways. What was there to prevent him from lending his own notes? What to keep him from communicating any private copies he might have of the printed and unpublished evidence? Then who before questioned the right of a chairman to regulate the manner and time of printing and circulating the minutes of a committee? He had known recent instances of notes being used for private purposes by warm friends of the right hon. gentleman, although the chairman of the committee had joined with the Speaker in impounding them to prevent publication. They had been published to the injury of every individual, for whose protection the original minutes were impounded. Of such conduct, indeed he greatly disapproved. For him to have communicated his notes, or to have allowed the publication of the report some weeks sooner, would clearly have been no such impropriety; yet still he deemed that it would have been blameable, it would have been perverting to party purposes an inquiry that should be kept free from all such connexion. And therefore, it was that he had abstained from it. Nay, had interposed to prevent it. He had done so because he deemed that it would have been improper; and the right hon. gentleman sagaciously answers, had he done so, it would have been an impropriety. There he left him, and his ingenious instructors.—Mr. B. then recurred to the general state of the question, the nature of the attack, and the course pursued against him and the committee; and having dwelt at some length on these topics, he concluded by apologizing for the time which he had been obliged to occupy in the defence of himself and his colleagues. As far as regarded their cause, they had much reason to complain of being taken unawares; but the House, too, had been a sufferer, in being compelled to hear a statement, not only inadequate to the greatness of the occasion, but necessarily rendered prolix by the suddenness of the demand which had imperiously, though most unexpectedly called it forth. It was a satisfaction to him, that how defective soever in other respects, he at least believed it to have been full, and to have honestly met each individual part of the accusation. In casting his eye back upon the large space over which he had travelled, he could descry nothing that he had left untouched. He rather feared he might be blamed for stopping to take notice of some things which merited none. But he deemed this the safer side on which to err, as being made aware by experience of the shifts and devices to which malignity has recourse. If he had passed any thing, if it should be found on further reflexion that there was a single point overlooked by him, he begged to be instantly informed of it; he pledged himself to take the earliest opportunity which the forms, or the kind indulgence of the House afforded, of supplying the omission. He had not shrunk from the fullest inquiry, in circumstances which gave him a very fair ground for demanding some delay; and he still courted the most unsparing investigation of every part of his conduct in the chair of the committee, and of every single incident that had happened in the course of their whole proceedings.

Mr. *Sheldon* said, that he had acted as a member of the committee, and approved of all that was done in it. He had narrowly observed the conduct of the hon. and learned chairman, and had uniformly found it correct, polite, and proper.

Mr. *V. Fitzgerald* declared, that he would be the last man to comment on the tone and language of any hon. member who stood up to vindicate himself, unless where that tone and language assumed the character of conveying invective and sarcasm against another. It was on that ground he complained of the speech of the hon. and learned gentleman who had converted a defence of himself into an accusation of his right hon. friend. He knew, and could excuse, the feeling and temper likely to be excited on such an occasion; but there was in the language and sarcasm which the hon. and learned gentleman had used, in speaking of the course pursued by his right hon. friend, what might easily be separated from the necessity of vindicating his own conduct. He warmly applauded the conduct of his right hon. friend, and argued, that the hon. and learned gentleman had no right to say that he was taken by surprise, after publications had gone forth on this subject—after it had, indeed, been discussed and debated throughout the country. In fairness, his right hon. friend had no right to give notice to every member of the committee that he meant to make the remarks he had offered. It was sufficient that he had brought forward the charge, when the hon. and learned gentleman was present. The hon. and learned gentleman had accused his right hon. friend, and accused him most unfairly, with having lain in wait, at the lag-end of the session, in order to make the observations which he had felt it to be his duty to offer to the House, when he might have uttered his sentiments earlier. But, undoubtedly, his right hon. friend had a right to use his own discretion with respect to the period at which he would make his observations. As to what had been said of the formation of the committee, he would put it to the hon. and learned gentleman and to his friends, whether they could conscientiously declare that the bodies—the ancient establishments throughout the country, which were materially affected by the inquiry—were sufficiently represented in that committee?—If they declared that they thought they were, he should be very much surprised—but he would not attempt to remove that which was evidently an erroneous opinion. The hon. and learned gentleman complained of the manner in which his right hon. friend had read the names of the committee, because he had not mentioned individuals who were subsequently added to it; but his right hon. friend was not called upon to do so—since he spoke only of the original conformation, and the power originally proposed to be given to the committee. The hon. and learned gentleman complained, that he was accused with having placed members on the committee, who were biassed and swayed by particular views—that he had, in fact, packed a committee—and, to show that that was not the case, he said, "the names of Mr. C. Grant and of Mr. Sheldon might have been recollected." But how stood the fact? At the very same period, when those two members were added to the committee, Mr. W. Smith, sir T. Baring, and three other gentlemen, whom the hon. and learned member had not mentioned, were placed, at his suggestion, on the committee.—Thus, while his right hon. friend had omitted to name to two members, the hon. and learned gentleman had altogether passed over five.—An authority had been exercised by that committee, which, he would undertake to say, never had been intrusted to any committee. Did the hon. and learned gentleman mean to say, that it was proper to send forth the letters which had been alluded to—superscribed as if they emanated from that House—for the purpose of procuring information after the dissolution of parliament? If he did not thimk it was proper, how could he vindicate the having exercised such an authority? No part of this subject could be touched on withont causing the hon. and learned gentleman to exclaim, that he was harshly treated. Much, however, of what was adverted to, did not refer to him. With respect, for instance, to the publication of certain marginal notes, the hon. and learned gentleman was not accused with having authorized their publication. What his right hon. friend condemned was, sending forth to the country certain statutes, which the fellows of societies, to whose care they were intrsusted, were bound by oath not to divulge. He not only deprecated the publication of those statutes, but the accompanying remarks, which reflected strongly on men of great learning and high moral character. The hon and learned gentleman had defended himself from the imputation—if he had not done so, his responsibility would have been serious indeed. The hon. and learned gentleman had declared that it was perfectly parliamentary to print documents emanating from committees, during the recess. This he denied—unless by a special order of the House. The hon. and learned gentleman could not, with respect to what was published under his sanction, plead that he had such an order. It was done by his sole authority—and he could point out no precedent for it. That the hon. and learned gentleman believed he was right, he had no doubt; but his own opinion was no justification of the act. The clause in the original, enabling the commissioners to punish with imprisonment all persons who might refuse to answer any questions respecting public charities, or who might withhold any papers that might throw light upon such matters, was said to be taken from a bill of lord Sidmouth's which inflicted such a penalty on public accomptants having had the management of the public money. But in the two cases there was no analogy whatever.

Mr. *F. Douglas*, as a member of the Education Committee, bore testimony to the accuracy of every part of his hon. and learned friend's statement. He defended the committee from the attack made upon them by the right hon. member—an attack which, although sobered and brought down to the meridian of the House, was very much like one that had been rendered public by other means, and which though it had not less acrimony, had more wit and vivacity. It was evidently a prepared *diatribe* against his hon. and learned friend, and against all those who had taken an active part in promoting the inquiry. It was a *diatribe* not called for by circumstances, and was calculated solely to sooth the irritated feelings of some angry ecclesiastical bigot, who felt displeased or injured by the proceedings of the committee. He contended that his hon. and learned friend had been fully justified in completing the report of the committee, after the dissolution of parliament. With respect to the power proposed to be vested in the commissioners to punish with imprisonment persons refusing to give necessary information, it was a power that was wholly indispensable; it was such a power of committal as was vested in every justice of the peace in the country, and, if it were withheld, the whole inquiry would be neutralized.

Lord *Castlereagh* said, he was not at all surprised that his right hon. friend should have warmly felt and expressed his own sentiments on the conduct of the hon. and learned gentleman, as well as the sentiments of those respectable bodies of individuals, who came within the scope of the inquiry under the consideration of the House. Although the hon. and learned gentleman had made a very reasonable statement on the present occasion; although, after a more deliberate consideration, he had not imputed to charities generally corruption, or to government a disposition to skreen abuse, it was natural enough that his right hon. friend should not forget, that at no very distant period, the hon. and learned gentleman had loudly preferred such accusations. It now appeared that the report of the commissioners had fulfilled all the expectations of the hon. and learned gentleman. The hon. and learned gentleman had, indeed, endeavoured to find, in one part of the report, a justification of all his former representations. Because the report stated, that the commissions had discovered in the management of Tunbridge school what they might possibly raise a question upon in a court of equity, the hon. and learned gentleman thought all his charges were confirmed. He congratulated the hon. and learned gentleman that he had so far opened himself this night as to admit that the utmost extent of evil which he believed to exist was, that there were some things which might be brought under inquiry in a court of equity. With respect to the expense of the commission, he really believed that the money required for effecting the objects proposed, would be, in point of economy, well laid out, in order to obtain a security that charities were properly conducted; but he wished to prevent the indulgence of such a delusive notion as that the money saved by this inquiry would go to pay the expenses of the commission. The inquiry might be expected to continue for nine or ten years, but the result would be a confidence that charities were properly managed. Besides the very appointment of the commission would give an activity to charities which they could not otherwise have, and for this reason he had always been a friend to it. With respect to the clause respecting charities having special visitors, he thought it whimsical and hard that he must defend against the hon. and learned gentleman a clause which the hon. and learned gentleman, had himself introduced into his bill of last year? What was there dangerous or objectionable in the clause? Those who had founded charities, considered the management of them sufficiently secured by the appointment of a special visitor; but when they had required that all the trustees should be subject to visitation, it must be presumed, that visitors mixing themselves with the trust ought, according to the intention of the founder, to be treated as mere trustees. The whole of the commission was rather in aid of the Court of Chancery. The arrangement of the commission was much improved by this bill. The machinery was more applicable to the purpose. There was also another improvement, namely, the mode found out for compelling the attendance and evidence of witnesses, without following the example of the committee of military inquiry.

The *Speaker* also observed, that the most convenient mode of proceeding would be, to read the bill a third time, and then hon. members would have an opportunity of speaking on the several clauses as they were brought up.

The bill was read a third time.

Mr. *Brougham* then proposed a clause, enabling trustees, with consent of the commissioners, to apply to the Court of Chancery, or any of the courts of equity, for the correction of certain deficiencies that might be found to exist in the powers granted to them under the charter.

Mr. *Peel* expressed his regret at being again compelled to offer himself to the attention of the House. Charges, he said, had been made against him by hon. members opposite, which, in their nature were somewhat inconsistent. It had been alleged, that he had prepared what was called a bill of indictment against the committee, having associated to himself in this invidious task, several other persons; but he could assure the hon. and learned gentleman, that whatever might be the nature of this bill of indictment, to himself (Mr. Peel) alone was it to be attributed. He did not imagine it was a fair ground of charge against him, that he had canvassed the proceedings of the committee in private with his friends. Gentlemen who pushed themselves forward in that House into public situations, such as chairmen of committees, must expect to have their conduct very freely and fully examined, provided no personal or improper motives were imputed to them. He could assure the hon. and learned gentleman that he would never shrink from animadverting on his public conduct whenever that conduct seemed to demand animadversion. The hon. and learned gentleman had complained that the charge was brought forward in the absence of the committee; but as he entered the House he perceived at least ten members of the committee present, and in any case he should consider it a new doctrine, if the members of that House were to be precluded from making any observation on the conduct of committees, unless the members of such committees were served with regular notice to attend. As to his not having made the charges before, there was no opportunity. On the 5th of April 1818, the bill was first introduced; on the 6th of June the report which contained the examination of Dr. Wood, was laid upon the table; and on the 8th the parliament was dissolved; and though it was competent to him more recently to have made a motion on the subject, he was prevented by the notice of his noble friend preparatory to the introduction of the present bill. He would also remind the hon. and learned gentleman, that he was absent himself for a great part of the session, and therefore might very properly have accused him, if he had stood forward before, of making an attack upon him in his absence. He still thought, notwithstanding all that had fallen from the hon. and learned gentleman, that the chairman and the committee had exercised an authority which was not contemplated by the House at the time of their appointment. Reverting to the examination of Dr. Wood, he again maintained that the tone and manner of the examination were not warranted. He confessed that he did feel that romantic attachment to the seat of his education which the hon. and learned gentleman had attempted to overwhelm with sarcasm and ridicule; and, instead of its being a matter of charge against him that he did so feel, he was convinced that he should be justly chargeable if he did not. He thought of the university of Oxford as of the scene of his youth, and as an institution to which he felt that he was indebted beyond the power of repayment. If, therefore, he had declined to appear in its cause, he would have been guilty of a dereliction of duty. All that the hon. and learned gentleman had said could not remove the impression of one fact from his mind, that after the dissolution of parliament the committee thought proper to call upon certain individuals for an answer to the circular, and that the request was signed by the clerk of the committee, and dated from the House of Commons. He concluded with remarking, that though he might have strong political feelings upon various subjects, he hoped he could not be justly charged with a want of candour or fairness in the expression of them.

Mr. *Brougham* called the attention of the right hon. member to his argument with respect to the oaths of secrecy administered in colleges.

Mr. *Peel* read the 45th statute, which declares that the statutes shall be kept secret, and to the observance of that, as well as of all other statutes, the fellows were bound by oath.

Mr. *Brougham* said, that the right hon. gentleman's charge did not merely state that the fellows had taken such an oath, but that they had pleaded their oath to the committee, who compelled them, notwithstanding, to make disclosures.

Mr. *Peel* stated, that Mr. Hinde, a fellow of Eton, had been examined at large.

Mr. *Brougham* said, every body who knew any thing of the question, knew that Mr. H. was not a fellow of Eton, but that of King's. He (Mr. P.) had better leave the Eton and Cambridge interests to be defended by those who were acquainted with the subject. He supposed his hon. friend (Mr. J. Smyth) the member for Cambridge, was not much indebted for his volunteering to protect his constituents.

Mr. *Wilberforce* claimed the privilege that he had always exercised during the forty-three years which he had been a member of that House, of asserting his opinions with the utmost freedom and sincerity. He must say, that the right hon. gentleman had not made him feel less pain upon this occasion, than he should have felt, had he been himself personally concerned in it. There was nothing which appeared to him to have justified the right hon. gentleman in not giving the House previous intimation of his intention to bring forward a charge against the committee. What the right hon. gentleman had said in his last speech, confirmed the opinions which he (Mr.W.) had originally entertained, with respect to the character of Dr. Wood; and he made this observation with greater pleasure, because he had never heard the evidence of Dr.Wood before the present moment. As that gentleman had been one of his co-mates in earlier life at the university, he should take that opportunity of stating to the House, that he was an honest, respectable, independent man, deserving to be held up as an example of what integrity and perseverance could effect, to those who were entering upon life under many inconveniences. How the case of Pocklington school had escaped his notice he did not know, and should not pretend to explain; but considering the number of years during which he had represented the great and populous county of York, he could not help taking it as a matter of shame to himself, that he had not brought it forward as a case well worthy of parliamentary inquiry. That case, as it related to a spot where he had himself been educated, had excited no inconsiderable portion of his grief and indignation. But, leaving that case for the present, he must be allowed to state, that no man in the world was less capable of conducting an examination with severity than his hon. friend, Mr. Babington, who had been upon that committee. It was possible (though he knew it not, having been absent from the committee) that his learned and hon. friend might conduct it with a certain degree of professional, and, if he might be allowed the word, inquisitorial severity; but was such a circumstance as that, even if true, to be considered as more than a balance to the benefits which it had conferred on the public? When the right hon. gentleman expressed the regret which he felt at this asperity, had he entirely forgotten the solid results which had been produced by this inquiry, and which were likely to remain in existence to the immortal honour and glory of his hon. and learned friend? He was surprised that the right hon. gentleman, who possessed such acuteness on other subjects, should be so blind as not to see the incalculable benefits which had been effected by this mode of investigation; indeed, if it had been any other person who had shown such fatuity of intellect, he should have said that the man was totally insensible to the admirable administration of justice in this country. It would be folly in him to express such an opinion of the right hon. member, but still it was with no little satisfaction that he congratulated the House on their having made such progress as they had done in the cause of public education. It was peculiarly fortunate that his hon. and learned friend, with all those splendid qualifications of eloquence, argumentation, and assiduity, by which he was distinguished, should have applied himself to those pursuits which many others would have deemed to be far below their notice and observation; and though he willingly allowed his claims to public gratitude for the attention which he had given to another subject, which was near and dear to his (Mr. W.'s) heart, he could not help considering his claims to it on the present occasion to be superior. The investigation to be rendered useful, ought to be made in a fair and impartial manner. He knew something of the abuses which existed in public charities, from an attempt which he had once made to check their increase. When he first brought in his bill for the registration of charities, he received letters from all parts of the country, containing proofs of the existence of such abuses as the House could not possibly be aware of. A friend of his, by taking a hint from a grave-stone in a country church-yard, had been led to prosecute his inquiries till he had recovered 16,000*l.* or 18,000*l.* per annum, which were now applied to their original purposes. As the pressure of the times was now such as to curtail even the comforts of those who were in possession of large funds, it was the duty of the House to take care that that pressure fell as lightly as possible on the lower orders; and where it did fall, that it should be mitigated to the utmost, by the application of all charitable funds to their proper purposes.

Mr. *J. H. Smyth* was anxious to express his sentiments upon a question of so much importance, and one in which he, as representing his constituents, was so greatly interested. As a member of the Education Committee appointed in 1816, he felt an anxious desire to lend his aid to the investigation of the subject; and he could assure the House, with the utmost sincerity, notwithstanding the insinuations which had been thrown out by a right hon. member, that he had entered the committee with no prejudices on his mind, or political bias. It was a duty incumbent upon him to contradict such aspersions. In 1817 the committee did not sit, and in 1818, when the transaction alluded to took place, he did not attend the committee, as he then attended another committee, which he thought had a paramount claim on him. But if he had not had that excuse, he did not think he should have attended it; for though he admitted parliament had a right to inquire into the funds possessed by the university for the education of the poor, yet he doubted as to the expediency of their making use of that right at present. With respect to one university, at least, he was sure the more its affairs were inquired into, the more it would stand exculpated; but the House could not, with any advantage, enter into so wide a field of inquiry. Had he been on the committee, he should have expressed an opinion different from that of the majority in two cases. As soon as it was known that the funds bequeathed were not for the purpose of education, the committee had no right to inquire into the subject any farther. Had he been present on the occasion of the examination of Dr. Wood, he should certainly have objected to the questions put to that learned gentleman; because some of them might seem to convey imputations unbecoming the situation of Dr. Wood, and were, to his knowledge, unfounded. He had the honour of being acquainted with that gentleman, and he knew him to be distinguished for honour, talents, and learning. He could not too much regret the very unnecessary and very unprovoked discussion which had been introduced that night by the right hon. member for Oxford, and which had generated an acrimonious feeling on a question of practical philanthropy and benevolence.

Mr. *John Smith*, as a member of the committee, begged leave to say a few words. The right hon. gentleman had insinuated that party zeal animated him on that committee [No, no! from Mr. Peel]. He could say, on his honour, that he had never seen the spirit of party less pervade any committee than the one alluded to. The whole proceedings of that committee had been grossly misrepresented out of the House. He had read the most scandalous libels on the committee: he had seen questions stated to have been put which never were put; and persons stated to have been examined, who never were examined. His hon. and learned friend, the chairman, had been roundly stated as bringing forward cases, and putting questions which others had wholly done without any interference on his part. He could enumerate a number of the most gross misrepresentations, if he were not ashamed to take up the time of the House with them. His hon. and learned friend knowing his (Mr. Smith's) anxiety for the diffusion of the benefit of education, might think that he could be of use in the committee, and on that account might be induced to name him. From the same motive he might be induced to name other members. But this he was sure of, that those who were most in the habit of attending the committee generally voted on the other side of the House. He owned he was concerned, that the right hon. gentleman with his rising fame should have risked an attack on his hon. and learned friend. He knew of no man in the House who had done more towards the support of the cause of justice and humanity than his hon. and learned friend. He hoped the right hon. gentleman might live to do as much—he was sure he could never do more. He had always thought, and should think to his dying day, that the proudest circumstance of his life was his being a member of that committee over which his hon. and learned friend presided. He did not like in any case a disposition to concealment—fraud and mystery were, in his opinion, nearly allied. He might here allude, by way of contrast, to the conduct of that pious and worthy body of men called Quakers. It happened that some of that body who were in London at the time of their annual meeting, commissioned him to state their wish, that it would afford them satisfaction to have their schools examined into, as they wished the nature of their institutions to be known to the public. He did not mean to institute a comparison between this body and the two universities; but the disposition manifested by them on this occasion did them the greatest honour, as concealment did honour to no man or body of men.

Mr. *Holford* described the manner in which he had been nominated upon this committee, and denied that the majority of it was composed of the usual supporters of government. He had however from the beginning declared his intention not to attend a committee from which members of great learning and high character were excluded, and to which the aldermen who represented the city of London, as well as other persons belonged; persons who, however respectable, were not in his opinion the best calculated for the inquiry they had in hand.

Mr. *Brougham* said, that the value of the last observation of the hon. member might be appreciated, when he said that among the committee were sir J. Mackintosh, sir S. Romilly, Mr. J. H. Smyth, Mr. W. Lamb, and other gentlemen of learning, diligence, and talent.

The clause was added to the bill.

Mr. *Brougham* then proposed the striking out the clause exempting colleges, free schools, or other foundations having special visitors, from the operation of the bill. He took that opportunity of stating, that his opinion with respect to the abuses of charities for education was not altered. What he had stated originally was, that the bulk of the cases must have arisen more from negligence than from wilful and corrupt design. He had uniformly stated, that people of property really did not know of all the charitable trusts with which they stood charged. But he had also asserted then, and did so still, that there existed cases in all parts of the kingdom which did not admit of the excuse of negligence. If he had been wrong in this, and ought to have lowered his tone, so ought also my lord chancellor Eldon—so ought also my lord Kenyon, had he been alive. Lord Eldon had stated, as a judge, that the grossest abuses prevailed in the administration of charitable trusts. Lord Kenyon had said from the bench, that if all visitors of charities had done their duty like the late archbishop of York, they would not see, as they did in all parts of the country, grammar schools so grossly abused—that no business was done in them but receiving the salary. Borne out as he thus was, he would do any thing but lower his tone.

Sir. *W. Scott* opposed the amendment on the ground that the will of the founder, whether provident or not, should not be interfered with.

Mr. *Scarlett* contended, that a power given to inquire into the abuse of a charity, which might be most inconsistent with the will of the founder, could not be construed into a contravention of that will.

Mr. *Ellice* complained of the clause of exemption, as founded on an unjust and aristocratical principle.

The House divided: For the amendment, 75; Against it, 107.

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## HOUSE OF LORDS.

*Thursday, June 24.*

MAD-HOUSES REGULATION BILL.] The Marquis of *Lansdowne* said, that nothing could more forcibly appeal to the humanity of their lordships than the state of those unfortunate persons who were unhappily afflicted with insanity, and the legislative means of preventing them from being subjected, in their treatment and confinement, to abuses of the most flagrant and revolting nature. That abuses of that description unfortunately existed, was too clearly proved. He was aware, at the same time, that great caution was necessary in legislating upon this subject: it was undoubtedly essential that care should be taken not to prevent respectable individuals from keeping establishments for the care of persons afflicted with insanity, and it was of the utmost importance that visitation and inspection should take place without resorting to means that might retard the cure of persons so afflicted. The present bill, in his opinion, provided the necessary means of visitation and inspection, without being liable to the objections he had mentioned. The abuses with regard to pauper lunatics, called particularly for legislative regulation; it being too frequently the practice with parish officers to confine them, under circumstances of great cruelty, in poor-houses, to the great annoyance of the unfortunate inmates of those houses, merely because they could be supported there at a less expense than by sending them to a receptacle for lunatics. Many gross abuses, and instances of great cruelty, had been pointed out, which rendered it absolutely incumbent on the legislature to interfere. Under all these circumstances, he felt it his duty to move the second reading of this bill; and he was satisfied that all respectable persons, who had the management of receptacles for those unhappy individuals would be ready to court the inquiry which it was the object of this bill to enact.

The *Lord Chancellor* said, it was impossible for him to give his support to the present bill, because he conscientiously believed that its regulations would tend to aggravate the malady with which the unfortunate persons were afflicted, or to retard their cure. It was of the utmost importance, with a view to the proper care of these unhappy individuals, and with a view to their recovery, that they should be under the superintendance of men, who had made this branch of medical science their peculiar study, and that the superintendance of physicians should not be interfered with. The bill gave a number of penalties, half of which were to go to the informer, and it was evident that the informer would be found amongst the attendants and servants in receptacles for lunatics, who would thus be made the judges of the conduct of the physicians, and it would be impossible for the latter, under such circumstances, to resort to many of those means which their experience taught them were most effectual for the cure of their unhappy patients; for there could not be a more false humanity than an over humanity with regard to persons afflicted with insanity. He admitted that there were great abuses, but the better way to remedy them, would be to take a cool and dispassionate view of the subject in a committee in the next session of parliament, by which means a measure might be framed free from the objections to which the present bill was liable. With regard to pauper lunatics, he admitted that there were great abuses, and was ready to agree to a short bill, embodying the clauses relating to them which were in the measure now before the House; but the bill as it stood, he must decidedly oppose.

The House divided: Contents, 14; Not-contents, 35: Majority against the bill, 21.

## HOUSE OF COMMONS.

### *Thursday, June 24.*

Scotch Courts of Justice.] Lord *A. Hamilton* said, that about five years ago, a commission was appointed to inquire into the administration of justice in England, Scotland and Ireland. The House, however, would learn with surprise, that though the Scotch commissioners had given in four or five reports, not one step had been taken towards carrying into execution any of the measures suggested by the commissioners. His majesty's ministers had, in his opinion, been very negligent in not taking some steps on these reports. Those were to this moment a dead letter. The consequence was, that the commissioners themselves had been brought into discredit. The only thing which had been done by ministers was, to make the reference for which he was about to move to the judges of the courts in Scotland. This reference to the courts themselves was, in his opinion, highly improper; for what could be more improper than the referring the reports of persons finding fault with something in the administration of courts of justice to those courts themselves? Having inspected the reports, he had found in them many important suggestions for the improvement of the courts. It seemed like a mockery of the House, that after an inquiry had been voted, and most conscientiously conducted, his majesty's ministers had paid no attention whatever to the reports. The noble lord concluded with moving, for "Copies of all References which had been made to the Judges or Law Officers of the Crown in Scotland, of any reports of the Commissioners of Inquiry into the Courts of Justice in Scotland, and the Answers thereto, together with the Tables of Fees of the various Courts."

Lord *Castlereagh* saw no objection whatever to the motion. He should reserve any thing he had to say on the subject till the information moved for was before the House. He hoped the House would not infer, from his not entering on the subject, any neglect on the part of ministers, in not submitting any specific measure to the House founded on the reports of the commissioners.

The motion was agreed to.

JURY COURT IN SCOTLAND.] Lord *A. Hamilton* called the attention of the House to a bill which had passed this session, to amend the act of the 55th of the king, for extending trial by jury to civil cases in Scotland. In doing this, he had no intention to arraign the promoters of the measure for the main part of it, as no man was more favourable than he was to the extension of trial by jury in civil cases to the part of the country with which he was connected; but, under this act so many new officers had been appointed, and with such large salaries, that they were more likely to be performed by deputies than principals. What gave him a claim to call upon the House on the subject of a bill recently passed, was the improper manner in which the measure had been hurried through the House. The act now consisted of 26 pages, one half of which had been filled up at midnight. His object was to address the Prince Regent, that the additional appointments under this act might not be filled up till a month after the opening of the next session, or before the commissioners on the courts of justice had made report on the jury court. In the original act, there were three chief clerks and two assistant clerks. Now, there were one new principal and three assistant clerks. To show how unnecessary this addition to the establishment was, he should mention a fact, that the clerks of the jury court had continued without interruption to practice in the court of session. An addition of 1,000*l.* a year was also made to the salary of the lord commissioner. The noble lord went into some other details as to the objectionable parts of the act, and concluded by moving, "That an Address be presented to the Prince Regent, praying that the appointments created by the recent Grand Jury Canal Act, be not filled up till a month after the commencement of the next session of parliament, or till the commissioners sitting in courts of justice shall have made their report."

The *Solicitor General* contended, that the appointments under the new act were absolutely necessary, because there would be a great increase of business in the jury court, because it was no longer optional, but imperative on the parties, to bring all causes "on account of injuries to the person, whether real or verbal, as assault or battery, libel or defamation, or on account of any injury to moveables or lands, when the title is not in question," &c. into the jury court. There were originally three chief and two assistant clerks; there was now an additional chief and an additional assistant, so that there would be only seven in all, as the appointments of two who now performed duties would be at an end. Neither was it imperative on the Crown to give the full amount of the salaries; it was only enacted that they should not exceed a certain amount. There were now 200 causes on the roll of the court. There were four terms, three regular sittings at Edinburgh, and two circuits. As the circuits were divided into three divisions, one chief and one assistant would be required on each division and the other chief clerk would be required at Edinburgh.

Mr. *Boswell* condemned the manner in which the amendments referred to in the motion were introduced into the bill, only seven members being in the House at the time they were adopted. Such a course of proceeding he thought very unbecoming, especially as an addition of 3,500*l.* a year was made to the expense originally proposed in the bill. It could not surely be deemed fair, either towards England or Scotland, to make such an arrangement without affording an opportunity for discussion. With respect to the duties of the jury court, the commissioners who were also lords of session and justiciary, should in his opinion, be relieved from the performance of those duties by the barons of the exchequer, who had comparatively but little business to attend to in their own court.

Lord *Castlereagh* thought it would be a most inconvenient precedent to call upon the crown to arrest the execution of an act of the legislature, and that too within the very session in which that act was passed. The idea, indeed, of addressing the Crown to suspend the law upon anonymous authority, until a report should be received from a particular commission appeared to him so very inconsistent, and so likely to open a door for various irregularities, that he could not accede to the motion.

Mr. *Abercromby* observed that, as the act alluded to was not to commence its operation until December, no inconvenience was likely to arise from the adoption of the motion. No such accumulation of business could indeed be calculated upon in the jury court within the interval between December and the period mentioned in the motion, as to call for the appointment of the officers alluded to. His noble friend was not disposed to press his motion, if the noble lord would give his word that the offices referred to should not be filled up until the commissioners should present their report with regard to the jury court.

Lord *Castlereagh* said, that there was no disposition on the part of ministers hastily to fill up the officers alluded to.

Mr. *Brougham* remarked upon the provisions of the law alluded to, observing, that in addition to the clerks already attached to the jury court, two of whom had 600*l.* a year each, while another had 900*l.* and a fourth 300*l.* it was enacted in the law lately passed, that four additional clerks should be appointed. But where, he would ask, was the necessity for even the number of clerks already belonging to the jury court, those clerks having nothing to do but to prepare issues, while there were not above thirty issues altogether in that court within each year since its institution? There was not a special pleader's clerk, who could not prepare ten times as many issues within the year; yet each of these jury court clerks had as much salary as the judges who officiated as commissioners. After pronouncing a high eulogium upon the character and talents of the lord commissioner (Mr. Adam), he expressed his concurrence in the opinion, that the duties of that court should be performed by the barons of the exchequer.

Lord *Binning* maintained, that although the late act provided that four assistant clerks should be appointed to the jury court, it was not meant that these should be additional clerks. As to the expediency of filling up the offices alluded to, the most becoming course would be to leave the decision of that point to the discretion of the Scotch judges.

Mr. *J. P. Grant* said, it appeared to him, that the gentlemen who supported this motion, had mistaken the duties which devolved on the jury court. When this court was first instituted, it was a sort of experiment, as several gentlemen high in the law had entertained strong prejudices in favour of the ancient proceedings in courts of justice in Scotland. While this measure was considered as an experiment it remained at the option of the court, whether any civil case should or should not be decided by a jury. But now it was imperative on the court to have the case decided by a jury. In consequence of this half the business of the court of session would devolve on the jury court.

Mr. *Kennedy* was persuaded that the more the introduction of trial by jury in civil causes into Scotland was discussed, the more it would be considered an important era in the administration of justice in that country. Persons might differ as to the subordinate arrangements by which the system should be introduced and matured, but as to the great excellence of the object, those who know that country best, could best understand the benefits which were to be expected. He would not advert to the more immediate advantages in the improved administration of justice; but he could not deny himself the satisfaction of stating the peculiar benefits he anticipated to the political condition and habits of the people. It had hitherto been the misfortune of that country, that its people, and particularly the middling ranks, were not accustomed to think of and to canvass their political rights—to have a due knowledge of their own importance. The introduction of jury trial would accustom them to deal with important rights, and would engender an independence of thought and of political feeling, and a knowledge of their own political rights, which would produce the utmost benefit to the general interests and character of the country. He could not sit down without noticing another effect of infinite moment derived from the introduction of jury trial in civil causes, that it had exhibited to Scotland, juries constituted as they ought to be; he meant chosen by ballot, and with a right of peremptory challenge to the parties. The House would hear with astonishment that all juries chosen in Scotland for the trial of criminal offenders were otherwise constituted. The jury consisted of 15, and 45 persons were returned by the sheriff out of whom the 15 were to be had. But the presiding judge named the 15 who were to try the case, and no peremptory challenge was allowed to the person accused. The House would agree with him in thinking that it was quite unfit that such a power should exist in any judge, that such a responsibility should be imposed upon his discretion; and he was sure that those honourable persons upon whom so odious a duty was devolved, would be as anxious as he could be, that a change in this respect should take place, that they should be rescued from such a possible suspicion. An English parliament could entertain only one opinion of its propriety. The hon. gentleman concluded by giving notice that early in the next session he would introduce a measure to assimilate the constitution of juries in criminal cases to those which were now established in civil causes—in the particulars to which he had referred.

Lord A. Hamilton, in consequence of what had fallen from the noble lord, withdrew his motion.

Canada—Red River Settlement.] Sir *James Montgomery* rose to bring forward the motion of which he had given notice respecting the serious and active disputes that had taken place in British America between the North West and the Hudson's-bay company. He felt himself bound as much by public considerations as by his private relation to the noble lord immediately interested, to call the attention of parliament to the transactions which had taken place in that quarter of the globe. It had occurred to lord Selkirk, at an early period of his life, that a plan of emigration to that quarter might be usefully and beneficially formed; knowing that its situation afforded many advantages; and also being aware that there existed in Ireland and Scotland a discontented population, who would willingly emigrate to British America. To this project he was known to have devoted his most zealous efforts and his best days. A company had been constituted about a century ago, under the administration of lord Pelham, called the Hudson's-bay company. Under the royal charter then granted, a great space of territory, with more than ordinary powers of jurisdiction, was vested in the company. To that company lord Selkirk applied for a charter or grant, which he obtained, of a part of their territory called the Red River. He improved this country at great labour and expense, and formed a settlement there; but the North-West company disputing the power of the company of Hudson's-bay to make the grant, his lordship obtained the opinions of some of the most eminent lawyers in England, amongst whom were the late sir Samuel Romilly, the present Mr. Justice Holroyd, Mr. Scarlett, and Mr. Bell, all of whom concurred in opinion that the company had the power of making the grant, and that his lordship had, under that grant, jurisdiction over the settlement of the Red River. His lordship fully rested his right on those high legal authorities. His title, too, was recognised and confirmed by the act of the government of this country, on the breaking out of the American war in 1813; on that occasion he applied for protection to the colonial department against the attacks of the Indians, and a noble lord granted him 200 stand of arms, and two pieces of artillery. This settlement was viewed with a jealous eye by the North-West company, and every step was taken to prevent its advancement. Those steps were not very alarming at first, as they consisted in sending anonymous letters, and inserting paragraphs in the newspapers, pointing out to the Highlanders of Scotland the hardships they would undergo if they emigrated to lord Selkirk's settlement. These, however, had no effect. The only difficulty lord Selkirk had, was in preventing the Highlanders from coming out before proper provision could be made for them. It was next urged, that the Indians would massacre the whole settlement, but those machinations were as futile as the former, as the Indians were perfectly satisfied with the colony, and lived on the most friendly terms with them; they even came across the Red River, and lived close to the English settlement. The North-West company were still dissatisfied. He had been informed that several of the Indian chiefs had been requested to destroy the settlement. Whether this was true or not he would not then stop to inquire; but he held in his hand the affidavit of an Indian chief, which stated that the Indian people were applied to on the part of the North-West company, for the purpose of overturning the settlement. Certain it was, that treacherous measures were resorted to. It had been with the greatest pain that lord Selkirk discovered, in the year 1815, a design formed on the part of the North-West company, to invade and destroy the infant settlement which he was endeavouring to establish. An attack was made, and the settlement was laid waste. In the following year a still more serious invasion took place, and numerous tribes, principally of what are called half freedmen, who are in the service of the North-West company, assembled on the banks of the Red River. The colonists received timely notice, and about 70 of them, headed by a gentleman named Semple, sallied out and encountered them. They were surrounded, defeated, and many of them slain. He did not scruple to charge the clerks and agents of the North-West company with the foul and premeditated murder of these persons. He was confident that such would be the inference under any judicial cognizance of the transaction. It would be impossible for him to lay a sufficient ground for the production of those papers which it was the object of his motion to bring before the House, without characterising as he had done this strange and hostile proceeding. The mere fact of Mr. Semple's death would have called for inquiry under any system of civilized government. When he made these remarks, he could assure the House that he was not proceeding except on good evidence. He wished to press the case on its attention, not so much from his feelings as to what had passed, as from his apprehension that it might possibly recur. In the year 1812, the same in which the colony was established, a letter was written, of which he had a copy in his possession, by Mr. Macgillivrae, one of the company's agents, announcing the delight which he felt in having given some annoyance and obstruction to lord Selkirk; and stating that it would cost much trouble and expense to drive lord Selkirk from his schemes of colonization, but that he must be driven out, as his success would strike at the root of the North-West company. This letter was inserted in the Inverness Journal, and for the evident purpose of deterring the inhabitants of the Highlands of Scotland from emigrating to the other side of the Atlantic. In a letter from another agent of the North-Western company, an agent writing from the scene of action, it was remarked with expressions of exultation, that lord Selkirk's colony had been "knocked on the head." The letter went on to state, that another similar establishment was in contemplation, but that the example of lord Selkirk's colony would probably defeat and disappoint the views of its authors; adding, at the same time, that if necessary, the company were prepared to use main force in the prosecution of their objects. He had in his hand another important document written by Mr. Robert Henry, and dated 3rd June, 1816, which stated that a party of 50 men was about to start against the Red River settlement, and that it was feared it would be a serious business; and the writer added, that he expected some of the party would leave their bones there—"If I return," said Mr. Henry, "I am determined to quit the service of this rascally company altogether." Another letter stated that the party were too late, as the writer thanked God the battle was over before they arrived. A letter from another agent of the North-West company (a Mr. M'Lelland) observed, that if the noble lord (Selkirk) was furious at what had already taken place, how much more so must he be to find the colony destroyed. The writer added, "I believe a strong pull has already been made, and I do not doubt but if lord Selkirk continues stubborn, that a pull altogether will be easily accomplished." He would appeal to the House whether after this, he had used too strong a term in calling the attack of the North-West company foul and premeditated murder? It would be asked, what became of the settlers generally. A great part of them had their lives spared on two conditions: first, that they should surrender up their property; and secondly, that they should promise that they would leave the country, and never again return to it. The petitioner, Pritchard, was not so fortunate as some of the others; he was separated from his wife and family, and sent as a prisoner to Fort William, whither also a great part of the property taken from the Red River company was conveyed. When the settlement was destroyed, lord Selkirk was at Montreal; and on hearing that an attack was meditated, he prevailed on a hundred men of Meuron's Canadian regiment which had been disbanded, to accompany him for the purpose of protecting the settlers. His intention was, to go by the nearest road, which would not have brought him near Fort William, but before he had proceeded half way, he received intelligence that the settlement was destroyed, that a great part of the property had been taken to Fort William, and that many of the settlers were there. He accordingly went thither himself, and having had a conversation with Mr. Pritchard, and ascertained that this was a foul conspiracy on the part of the North-West company, he exercised that authority with which, as a magistrate, he conceived he was invested. What lord Selkirk did 600 miles from the place, and many months after the time of this outrage, was an inquiry into which he would not enter at present, nor would he follow those who might be disposed to enter into that question. If ever there was a case that called for strict and prompt inquiry, this was such a case; and he hoped the secretary for the colonial department would state why some of the parties had not been brought to this country for trial. He did believe, that at one time it was intended to bring the authors of those atrocities and violence to England under the statute of Henry 8th. What prevented it? If it was too much to expect that they should be brought over to this country to be tried, why had not a commission been sent out to America to try them, as had been done before in Scotland? Why had not a commission of *oyer* and *terminer* been granted, to prevent the case from lingering on in the manner which was usual in the courts of America, whose proceedings were certainly not likely to prevent the recurrence of crimes? The first objection which he had to the proceedings on this trial was, the great delay which had taken place. Although all the witnesses had been brought upwards of 1,000 miles at lord Selkirk's expense, and were supported at his expense while they remained at Quebec, yet the trial had been put off repeatedly from term to term. His next objection to this case being tried in America was, that all trials in Lower Canada must commence at Quebec, a small town, the inhabitants of which were under the influence of government, while in the present case Montreal, which was very populous, and where impartial and intelligent juries might be found, was a much fitter place. Indeed, there never was a case which demanded more that the trial should take place at Montreal; for the greater part of the witnesses speaking the French language only, it was most desirable that the trial should come on where that language was generally understood. It might be said that this difficulty could be obviated at Quebec by means of interpreters; but every gentleman experienced in legal proceedings would admit the inconvenience of that practice. There was another point which he thought it material to mention. The counsel for the Crown, according to the practice of these courts, would not allow any person, however interested in the trial, to interfere in any manner; they would not permit the counsel for lord Selkirk to put a single question to the witnesses. What would be the feeling excited by such proceeding in this country? In the case of lord Selkirk, it was peculiarly hard: he knew that his conduct was the subject of general remark, and that his character might be affected by the result of the trial; but yet he was not allowed, either directly or by counsel, to put a question to any of the witnesses. So strongly did he feel the injustice of this prohibition, that he made an application to the governor-general on the subject, but to no effect. Sir J. Sherbroke, in the answer which he returned to this application, said, that as it was customary for the crown officers to conduct every trial, they could not allow lord Selkirk's counsel to interfere, without his (sir J. Sherbroke's) permission, and he did not think himself called on to allow a deviation from the usual practice. The result was, as might have been expected under such a system, that the greatest of the criminals were acquitted. Among these was one Cuthbert Grant, the principal incendiary, and several others, of whose guilt no man entertained a doubt. These persons then sailed triumphantly home in the large boats of the North West Company, for the purpose, no doubt, of giving a colour of truth to that infamous doctrine which it was attempted to impress on the natives, that the North West company had power to screen any one from punishment. George Campbell, another of them, whose case was so bad that he could not be bailed, had nevertheless got out of prison on a certificate of bad health, signed by the gaoler! If the conduct of the crown officers towards the North West company was culpable, still more unjustifiable was the manner in which they acted against the settlers. They included the petitioner Pritchard in the indictment, for no other purpose, he firmly believed, than to prevent him from appearing as a witness on the trial. He was put on his trial, on two different occasions, for the alleged murder of one of the half-bred men who was killed in the attack on the settlement at the Red river. There was one part of the conduct of the attorney-general for the colonial government which particularly demanded investigation. When the indictment was brought before the grand jury, he insisted that he should remain with them during the examination of the witnesses; and he actually was closeted with the grand jury during three days. The law of Canada was the same as the law of England, and if the attorney-general there had legally this power, the attorney-general in this country must have the same. He now asked, had the attorney-general in this country such power; did he ever attempt to exercise it? It should also be recollected, that at the time the attorney-general of Canada did this, he was retained as counsel for the North West company. Though witnesses were brought a distance of three thousand miles at the noble lord's sole expense, not one-fourth of the persons, against whom bills of indictment were found, were yet tried. —What inference was to be drawn from such conduct, but that the counsel for the Crown were hostile to lord Selkirk's plan of colonization? He would ask the secretary for the colonies, whether, in all these proceedings, the crown officers in America had acted agreeably to the instructions sent from this country. Indeed, he could not suppose that they would presume to deviate from their instructions. On one of the trials, a number of papers were handed to lord Selkirk, one of which was a copy of a dispatch from the colonial office, dated February 1817, directing a trial to be instituted against lord Selkirk immediately; not leaving the conduct of the trial to the discretion of the crown officers in America, but containing peremptory orders as to the manner in which his lordship was to be apprehended; and the trial conducted, and above all, enjoining them not to allow the prisoner to escape. It was a question, whether the office was authorized to send such an order; in his opinion it was not; and it seemed the jury thought so too, for twice they acquitted lord Selkirk. He should, however, take another opportunity of ascertaining whether or not the order was right. Application had been made to the colonial department, so far back as the 1st of March, 1816, by the agents of the Hudson's Bay company, to define its limits, with the view of preventing those acts of depredation, with which, from the beginning, that company were threatened. —Had the colonial department performed their duty, the massacre which was so much to be deplored, and which did not take place for fourteen weeks subsequent to that application, might have been prevented. He thought he had made out a case that would warrant him to move for copies of the dispatches from the provincial government in Canada to the government in this country; but he should not press that motion at present: he should satisfy himself with moving an address to his royal highness the Prince Regent for copies of all official communications between the secretary of state for the colonial department and the provincial government of Upper or Lower Canada, respecting the destruction of the settlement on Red river, and respecting any legal proceedings thereon in the courts of Upper or Lower Canada.

Mr. *Ellice* seconded the motion. He could assure the hon. baronet that no one lamented more than he did the atrocities which had taken place in North America, and which were now the subject of discussion. He had to regret that the hon. baronet had not, with the candour which characterized other parts of his statement, adverted to the causes of those unfortunate transactions. The hon. baronet had stated the proceedings of lord Selkirk, from the time at which he first went to America up to the present time. Before the noble lord had entered on this plan of colonization, he (Mr. Ellice) had the honour of being acquainted with his views; and although he was aware that colonization was his lordship's primary and principal object, yet he must be pardoned for saying that it had afterwards become connected with purposes of trade. The noble lord was a considerable proprietor in the Hudson's Bay company, and he could not help thinking, that if his lordship's only object was colonization, he should not have embarked in trade. He had differed at first, as he did still, from those who thought that great advantage would result from this plan; but it was unnecessary for him to trouble the House at present with the reason which induced him to do so. He was a share-holder in the Hudson's Bay company, as well as the hon. baronet opposite; and when the plan of colonization was first proposed, he at a meeting of the proprietors entered his protest against it. The hon. baronet had quoted the opinions of eminent lawyers in favour of the right which the company had, to make the grant of land to lord Selkirk; and he must say, that he also had taken the best opinions that he could obtain: he had consulted and applied to all the eminent lawyers who had not been consulted by the opposite party, and their opinion was directly opposite to that which the advisers of the hon. baronet had given. The opinion of the late attorney-general, now chief baron of exchequer in Scotland, was, that government had no right to grant the land to the Hudson's Bay company, and consequently that the company could have no right to grant it to lord Selkirk. He had no doubt, that had the same information been laid before the learned gentlemen whom the hon. baronet had consulted, their opinion would have been the same as sir S. Shepherd's. At an interview with lord Selkirk, he denied his right of possession in that country, and gave him notice that he would not respect those rights, until a decision of a court of law was pronounced in their support. Surely those considerations ought to have induced the noble lord to hesitate before, on a disputed point, he hurried on proceedings which led to such a lamentable result. If lord Selkirk's claim was so well founded as the hon. baronet supposed, why had not lord Selkirk appealed to a court of law? He had now only stated the objections which he had urged against the grant to lord Selkirk long before any of the transactions in question had taken place. It was not possible to suppose human nature capable of such actions as the hon. baronet had described, unless there had been great previous provocations. The hon. baronet had read several letters written by agents of the North-west company; he regretted that those letters had been brought forward, and particularly one of the letters of an hon. gentleman; but he would read, in reply, a letter written by the noble earl, much earlier than those transactions, to a person going to establish a trading post on the Red river. From the statement of the hon. baronet, one might have supposed that the noble lord had not been at all connected with the proceedings; but his lordship thus wrote—"You must give them (the Canadians) solemn warning that the country belongs to the Hudson's-bay company, and you will, as far as you have physical means, prevent them from cutting timber or fishing, and treat all who fish with nets as poachers; if they resist, they must bear the consequences; but you are safe while you act in a reasonable and proper manner." The House would attend to the recommendation to prevent these things, "so far as physical means permitted." It would be seen how far these instructions were acted upon. In 1812, the colony was for the first time established. In the next season they opposed various obstructions to the fur trade. Mr. Cameron, the North-west company's agent, found it necessary to use the best means of self-defence in his power. He would here mention a particular act of Mr. Miles Macdonell, the governor of the colony. He wrote to Mr. Cameron in these terms:—"Take notice, I hereby give warning in the name of the right hon. Thomas earl of Selkirk, that no provisions are to be carried out of the territory of the colony." A proclamation was then sent forth by Mr. Miles M'Donnell, commanding the individuals, at one of the settlements of the North-west company to depart from thence, as lord Selkirk claimed the territory, under a grant from the Hudson's-bay company. This proclamation was distributed over the whole country; and thus individuals, who had been peaceably enjoying the immunities which they derived under the Canadian government, were directed to abandon their right. The next extraordinary step taken by Mr. M'Donnell was, as he had not, from particular circumstances, the means of supporting the persons at the Red-river settlement, to order that the provisions laid up in the settlement of the North-west company, should be surrendered, on the ground that they were the produce of the soil belonging to lord Selkirk. If the Canadians could not carry provisions with them, they could neither carry on trade that year, nor bring in the supplies of next year. The first act of hostility, and which took place in 1814 or 1815, was the seizure of one of the posts of the North-west company, with 500 bags of wheat, weighing 1 cwt. each, by a body of armed men sent for that purpose by governor Macdonell. The winter of 1814, or spring of 1815, Mr. Macdonell sent a company, who actually seized 500 bags of wheat, weighing 1 cwt. each. In that post the petitioner, Pritchard, was the clerk, and basely allowed the provisions to be seized. The hon. member would, if he had been there and had had arms, have defended himself to the utmost. Let the House see to what those proceedings led. This was the first step of violence, and hence all the succeeding steps could be traced. Arrangements were made by the North-west company to convey some provisions up the river. It became evident, that if lord Selkirk adopted such regulations as had been stated, and could enforce them, their trade was at an end. During the two succeeding winters various conflicts took place. Much violence and much injury were committed. They were crimes, he admitted; but the country was actually in a state of civil war, and the House must, when they viewed the actions, look to the feelings of irritation which had been mutually excited. He now came to that unfortunate conflict in which governor Semple, who was, he believed, an amiable man, and 17 associates, lost their lives. Such an outrage could not have been committed unless it had been preceded by a very different train of circumstances from what the hon. baronet had described. He would now state some of the preceding occurrences. On the 17th of March, 1817, at night, the operations of the Hudson's-bay company for obstructing the trade of the North-west company began. He said the Hudson's-bay company, for when the views and interests of the company and of the noble earl were almost joined, he could make no distinction between them. Mr. Cameron was taken prisoner, and sent down to the bay. A regular plan was formed, according to which a gun-boat was sent to intercept the canoes carrying provisions. There were two posts at the mouth of the Red-river, on which the Canadians depended in carrying on their trade. On the 17th of March one of these posts was attacked; all persons found in it were made prisoners, and the provisions were seized. On the 20th the other post was taken, the persons made prisoners, and the provisions seized. Both posts were burnt and razed to the ground. Lieutenant Holt, who conducted this affair, wrote an account of his success to lord Selkirk, of the 14th of April, and proceeded towards the only other post belonging to the North-west company on the Red-river. Mr. Alexander Macdonell, who commanded, refused to surrender it. To prove that the country was in a state of war, it was sufficient to state, that, in this case, there was a regular capitulation. The country being thus at open war, the aggressors being always the Hudson's-bay company and lord Selkirk, it became necessary for the North-west company to take measures to protect themselves from entire destruction. Those measures had been disingenuously described as having been adopted for the purpose of destroying the Hudson's-bay colony, and murdering major Semple. Never was there a more foul and gross and malicious calumny. They had no such object. Their sole purpose was self-defence. He admitted that for that purpose they collected the half-breeds of Indians. The posts belonging to the North-west company, by which their canoes had been furnished with provisions having been destroyed, it became necessary to supply them by carts, and a party of half-breed Indians were sent under Mr. Macdonald for that purpose, with strict orders to keep as much out of the way of the Hudson's-bay company's fort as they could. Governor Semple, however, naturally anxious for the fate of the colony, was on the look out, and seeing those half-breed Indians, and thinking probably that their intention was to attack him, sallied out with armed men in pursuit. In the irritated state of the parties the result was not surprising; but he repeated that it was in nowise an act of premeditation. That distinct feelings of hostility existed, in consequence of the steps which had been taken, the hon. member avowed. When it was considered that the party on the one side were Indians, and half-breed Indians, whom it was necessary to employ, it would be understood that it was impossible to restrain them by any ordinary discipline. He lamented the result. He admitted that Indians were introduced into Fort William at the same time, but this was in consequence of the destruction of the posts. That this was no unnecessary precaution was evident, since the noble lord afterwards made no scruple of seizing at Fort William 70,000*l.* or 80,000*l.* of property. He stated these facts to show that it had not been a wanton and unprovoked attack. Those whom the Indians met on their way they made prisoners, to prevent their carrying distorted reports; an instance of which had occurred in the case of a half-breed, who said, that they had knocked the colony on the head. Lord Selkirk had himself instructed Mr. Henry to bring Indians to prevent the North-west company from trading from Montreal. He mentioned this in the very mode of which he complained. The hon. member recollected to have heard the petitioner asked, who had fired the first shot, and his answer was, "I don't know." Lord Selkirk was, therefore, not the injured party; on the contrary, he had been uniformly the aggressor, and, wherever he was personally concerned, the aggressor to an extent unprecedented in the history of the country.

Lord Selkirk, at the time of governor Semple's death, was at St. Mary's. He immediately proceeded thence to Fort William, with 200 soldiers, and arrested all whom he chose. He ought to have gone to York, which was not far from St. Mary's, and obtained regular officers to suppress this " nest of murderers," as he termed them; but no, he went himself, acting as a magistrate! he arrested all present, many of whom he knew to be innocent, and sent them away to Montreal, a distance of 1,500 miles: among them he sent Mr. William Macgillivray, as respectable a gentleman as any in that House, and one who had nothing whatever to do with the transaction complained of. What was the course then taken? Against Mr. Wm. Macgillivray a bill was never filed. But the noble earl not only arrested those persons—he seized their property, a part of which he applied to his own use. His agents (for he could not believe it possible that the noble earl himself would be guilty of such practices) kept a person addicted to drinking in a state of perpetual intoxication, until they practised upon and induced him to make a fraudulent transfer of the property that had been seized. The whole of the noble earl's proceedings had been most unwarrantable. After having obtained possession of Fort William, he sent to the next post, which he compelled to capitulate. He (Mr. E.) had had a good deal of experience in the colony, and he had no hesitation in saying, that the complaint of the hon. baronet against the legal authorities was the first that had been made. He allowed that on the *ex parte* statements of the hon. baronet, and unless satisfactory documents in contradiction of those statements could be produced, the conduct of the two judges in releasing Mr. Campbell was unaccountable; although there appeared to be no ground for charging them with intentional misconduct. With respect to the attorney general of Upper Canada, it was but justice to him to state, that as soon as he landed in Canada, he returned retainers which had been given him by the North-west company, as he found that they would interfere with his duty in the extensive legal proceedings which were on the point of being carried on. All the persons, however, sent up by the Hudson's-bay company—all the justices, sheriffs and juries, were interested parties. Major Semple was the only individual not in that condition. Mr. Macdonald was appointed chief judge. When he (Mr. E.) heard that, he predicted that the country would be the scene of contests, although he certainly did not anticipate the melancholy event that had occurred. He would not trespass longer on the House. What he had stated he had been at great pains to extract from evidence on all sides; although he had not had the advantage of which the noble earl had put himself in possession, by seizing at Fort William all the private letters and papers, and by bribing a clerk to furnish copies of others. It was impossible that things could be allowed to go on in their present course. If lord Selkirk had a right to the property which he claimed, in God's name let him have it; if he had not, let it be taken from him. He (Mr. E.) had been anxious to bring the matter into a court of law. He could proceed only by a *scire facias* or a *quo warranto;* but he understood there was an objection on the part of the legal advisers of the Crown to submit the rights of the Crown to the decision of a court of common law. Since the noble earl had returned to England, he (Mr. E.) had commenced proceedings in Westminster hall, but he was apprehensive that he could not bring the rights in question to a decision. Some mode of ascertaining them must, however, be resorted to. The country was much indebted to government for the appointment of the special commission to inquire into the real situation of things. When that report came to be presented, it would be seen if he had overstated or misrepresented the facts; and he trusted that it would be presented as soon as possible, that the existing calumnies and misrepresentations might be effectually removed.

Mr. *Scarlett* defended the conduct of lord Selkirk from the charge of violence, observing, that he was not in the country at the time the act was committed by Mr. Macdonald; and that as Mr. Macdonald himself had acted through mistake, he ought not to have been indicted for a felony. He then took a review of the charter granted to the Hudson's-bay company, and contended for the validity of that charter, according to the opinion he had originally given when consulted as counsel on the subject. The colony on the Red River was to have a certain jurisdiction—and, if the proper boundary had been overstepped, it was evidently through mistake. The grant to lord Selkirk gave him jurisdiction over certain territories, which were enumerated, and concluded with the words, "*et cetera;*" which were very important in this case. He observed that the great objection to the settlement of lord Selkirk seemed to be, that it was governed by laws, and had the advantage of magistrates, instead of being in a condition perfectly lawless and ungovernable. As to the intention imputed to the noble lord, of making trade the object of his establishment in that quarter, those who were acquainted with his almost romantic views would easily acquit him of such a design. Nor could the charge of resisting the legal authorities be made out against him—he had only acted in self-defence when he retired from violence threatening even his life, against which, if he had submitted, he could obtain no protection.

Mr. *W. Smith* said, that lord Selkirk had, he firmly believed, entered on this project with no other view but that of establishing a colony, without intending to interfere with any set of men. He apprised his majesty's government—he apprised the colonial department—of his intention. He heard no kind of objection from them; but from that hour to the present, he was not informed by them of their opinion, as to the legality and validity of his proceeding, on which the prosperity of the speculation and the success of the enterprise altogether depended. Lord Selkirk, from a laudable purpose of establishing a colony in those parts, and of protecting it, had suffered more in health, in property, and even in character than any man alive who had undertaken to execute a great enterprise. His sole object was colonization, in the first instance, and not trade. This was not a question between lord Selkirk and any set of individuals. The question was this, whether Canada, a country much larger than England, and the soil of part of which was equally fertile with that of England, should remain an uncultivated waste, inhabited by savages, and half-breeds, or be advantageously employed by industrious men? The question was, whether opposition should be manifested against those who wished to dispossess the animals of the chase, and to introduce a spirit of civilization where savage life at present prevailed? Sir A. Mackenzie, who had resided in Canada, who might be considered the second founder of the North-west company, in his work on the fur-trade had described the situation of those who applied themselves entirely to such a traffic. He observed that it was less difficult to bring men back from civilization to a state of savage life, than to introduce the blessings of civilization amongst savages. This fact he proved by a recurrence to the situation of the half-breed Indians, who followed the fur-trade. The moment their traffic was at an end, they spent the produce of it, and then returned to the barbarous employments of the chase. The same author gave a succinct account of the establishment of the North-west company—in the course of which, it appeared, considerable violence was made use of. It had been asserted that no complaints had been made respecting the administration of justice in Canada, but to his own knowledge he could assert, that not three years had passed for the last 20 years in which some complaint of that nature had not been made. The violent character and conduct of the North-west company were exemplified by a circumstance narrated by Lieut. Hall, in his amusing travels in Canada, respecting an attack made by their agents upon a party of honest fishermen, who in no respect had merited this outrage, and who in no degree interfered with those "unchartered monopolists." He argued from various documents, that the grant made to the earl of Selkirk could in no degree interfere with the claims of the company, and that even this impression was originally entertained by the agents of the company themselves. Lord Selkirk was accused of having constituted himself judge in his own cause; but let the conduct of a man, named Norman M'Cleod, be examined, who acted in every respect as a magistrate, committing persons to prison, and performing other acts of power, and then signed himself "Agent to the North-west Company." Was such conduct to be permitted in him, and should lord Selkirk, so much above him in rank, and far above him, as far as the suspicion of performing an illegal act was considered, be charged with an improper exercise of authority, if he subsequently seized upon persons who had been guilty of the most atrocious proceedings? It appeared to him that the neglect of the colonial department to all the representations which had been made on behalf of either party, was the cause of all the misfortunes that had occurred.

Mr. *Bennet* called upon the hon. gentleman opposite to give an answer to the speech of the hon. baronet, which was one of the most able and argumentative that had ever been delivered within the walls of parliament. The hon. member expressed his surprise at some of the arguments of his hon. friend (Mr. Ellice), and defended Mr. Pritchard, the petitioner, whom he described as one of the most honest and honourable men that breathed. The question was of great importance—whether we were to have peace in our settlement, or such scenes of fraud and violence? He called upon the hon. gentleman opposite to refute the serious charge made against the law officers of Upper Canada, and he particularly alluded to the trial of Mr. Macdonald, in 1816, in which the conduct of these officers had been represented as extremely culpable. If all the statements on this subject were true, he was satisfied that impartial justice could not have been administered. The hon. member who opened the debate had asserted, that the governor in the Upper Province (sir Peregrine Maitland) had been guilty of a dereliction of his duty. Of the facts of the case he (Mr. Bennet) knew but little; but this he would say, that there did not exist on the face of the earth, a more honest, virtuous, and amiable character than this gentleman, whose life had been spent in the sacrifice of his own personal comforts, for the indulgence of all but himself. For no man was there so general an esteem, and no man ever enjoyed the confidence of all classes more than he did. He was possessed of a sound head and an excellent heart, and would do his duty with the utmost scrupulousness. He trusted that the stigma which had been thrown upon the law officers of the Crown in the colony in question, could be satisfactorily refuted.

Mr. *Goulburn* said, he felt himself called upon to address a few observations to the House in exculpation of the conduct of government during the whole of this transaction. He had reserved himself until that moment, because he wished to have the advantage of hearing the sentiments of those hon. members who felt an interest in the cause of lord Selkirk on the one hand, and of the North-west company on the other. He was glad that he had been induced to take this course, because he felt himself now relieved from making any particular references to the unfortunate disputes which had occurred between the two contending parties, further than they appeared to have influenced the conduct of government. It was not for him to decide at the present moment, whether the North-west company or the Hudson's-bay company had shown the greater degree of violence in these transactions; nor was it his duty now to inquire, whether the fur trade was a beneficial branch of commerce, or one which ought to have been sacrificed to other interests. As to the first point, the reports which would be laid before the House would give ample information; and with respect to the latter, any one who had read these reports attentively would be able to determine the question. The principal charges which had been made against his majesty's government were, either that it had evinced an undue partiality to one of the parties concerned, or that it had been guilty of the crime (which in his opinion, was of a much more aggravated nature) of not having used every means in its power to prevent these outrages; and after the disturbances had arisen, of not having done all in its power to suppress them. For these accusations he believed he should be able to satisfy the House that there was not the slightest foundation; and in answer to the latter, he would briefly state to the House the nature of the transaction. It was unnecessary for him, for his present purposes, to detail the motives by which lord Selkirk was actuated in the first scheme of his emigration; but he would take up the subject at the time his lordship first made known to the colonial department his intention of going to North America, and of founding a settlement there. It had been very truly stated, that his lordship's intentions were communicated to the department, but there was contained in that communication no intimation whatever that the foundation of that settlement rested on grounds which were calculated to excite alarm in the minds of those who were already settled there. There was no conception at that time that this scheme could in any manner interfere with the then existing establishments, or that it could tend to disturb the general tranquillity or happiness of the natives of that country. In giving the encouragement which the noble lord then received from government, it was offered under the idea that lord Selkirk would adopt the same course that had been pursued with respect to the emigration to the Gulf of St. Lawrence. The noble lord in the year 1815 had represented the necessity of planting a military force on the settlement for the preservation of order and general tranquillity. He (Mr. Goulburn) had no difficulty in saying, that if a military force had been sent according to this recommendation, at that time, and could have been there maintained, there was every reason to believe that the disturbances and disasters which were now so deeply lamented would never have occurred. It was well known to hon. gentlemen who had taken a part in this discussion that there was no unwillingness on the part of government to furnish that military aid. An instruction was immediately given to the governor of Canada, to detach from the force under his command a certain number of men for this purpose, provided it did not interfere with other important arrangements. The reply made by sir Gordon Drummond on that occasion, at the end of the year 1815, stated the utter impossibility of fulfilling the commands of government. The governor was then perfectly aware of the state of parties in the settlement, and was satisfied that a military force being placed there would have been of great advantage, but it was found to be impracticable, and the idea was of course abandoned. It had been made a ground of complaint against the governor, that he had communicated his sentiments on this point to the North-west company. It was true that he had done so, but sir Gordon Drummond felt the necessity of apprising the company of the situation in which it was placed, and he looked to it as a means of preventing the impending disturbances. But in order to show the light in which the conduct of the governor was at that time viewed, he would read a letter written by the agents of lord Selkirk. In that letter was contained the following paragraph:—"We think it a plan which cannot be carried into effect, and we see no other course to be pursued, than that so judiciously adopted by sir Gordon Drummond." About this time, or shortly after, the news arrived, that a great portion of the settlement of the Red River had come down to the province: the reason assigned for this step was, that the unfortunate individuals were exposed to the dreadful peril of starvation. The course then pursued by government was, that these persons, who had travelled over so large a tract of country, should be allowed to remain where they were, to obtain that subsistence which elsewhere they were unable to procure. He now came to the disastrous year of 1816, a year pregnant with events the most distressing in their nature: it was marked by the storming of forts, and by battles succeeded by an open civil war, throughout the whole of the country in which the influence of these two contending parties extended. The period at which these transactions became known was more distant than was generally supposed. However, upon the knowledge of these proceedings, the governor-general of Canada saw that the state of affairs was one of considerable alarm; but the military operations were not the only evils with which government had to contend. The individuals who conducted the war on the part of these two establishments, held the office of civil magistrates, and alternately laid down the sabre to fill the magisterial chair, and, to arrest one another. The course which government pursued was, to revoke every commission of all justices of the peace, and two well qualified gentlemen were appointed to proceed into that part of the country where these disputes had arisen, and to collect all the evidence which could be found regarding these disturbances. These gentlemen set out in 1816, at a time when, in ordinary cases, persons would be unwilling to make excursions into these frozen regions; and this was an answer to one charge which had been made—that these commissioners would not wait for the evidence of Mr. Pritchard, at Montreal. If they had not proceeded on the journey, they would have been unable to accomplish the purpose for which they set out; and as it was, they did not gain their object. From Lake Superior they returned into the province, the work being only half completed. In the ensuing year the commissioners again proceeded in the task, and went into a detailed examination of the whole question. When the House had an opportunity of perusing this detailed report, it would be seen that it was executed with the utmost impartiality. This report had been only received in this country at the close of the last year, and the House would therefore understand the reason why the measures of government to remedy these evils had not been sooner undertaken. To have proceeded to legislate, or to decide without the report, would have been an act of absurdity, and even of madness. It had been also a subject of complaint, that government had taken measures against lord Selkirk personally, and had selected him as a victim. This he could explain most satisfactorily. It was in the beginning of the year 1817 that a warrant was issued against his lordship. He resisted the warrant; and, not content with that, he imprisoned the officers who brought it. There was, therefore, but one course to pursue, viz. to put lord Selkirk upon his trial for this offence, and proceedings were accordingly instituted. Immediately after the affair of the Red River, to which he had referred, a party of the North-west company were taken up, and an order was issued, that these parties might be brought to England to be tried. This, however, was not complied with, on account of the inconvenience of transporting the witnesses across the Atlantic, and the prisoners were accordingly ordered to be tried at Montreal. Much delay arose in consequence of various alterations made in the indictment, by the advice of lord Selkirk's counsel; and the attorney-general found that there was such a temper and spirit existing between the two parties, that it was impossible to proceed to trial. Instead of releasing the prisoners, new indictments were preferred, and at Quebec the trials came on. It was but a few days since, that the report of these trials had been received; and he was satisfied that when hon. members had seen it, they would acquit all the law officers of partiality, and it would be seen that they had acted in a manner strictly consistent with their judicial characters. The result was, that many prisoners were convicted, but the principal part were acquitted. The hon. member next alluded to a document which had been drawn up by sir Peregrine Maitland, being a refutation of the charges made against him, and to a letter of lord Selkirk respecting this affair, expressive of his approbation of the conduct of the commissioners appointed by the governor of Canada. He was fully satisfied, that a perusal of these documents would satisfy the House of the injustice of these gross and calumnious charges. As to the opinions of the law officers of the Crown here not having been taken, he should observe, that they could be of no avail, as the cause upon which they might have been taken was pending in a court of justice. With lord Selkirk they could be of no value; for he might have said, if they were against his proceedings, that he had legal opinions of equally high authority. It was a decision by one of the law courts, either in this country or in Canada, which alone could have settled the point of dispute. As to any decision being come to by the privy council here, it was impossible that such a decision could be made until all the evidence upon the subject had reached this country. The act of the House of Representatives of Canada had been mentioned; and it seemed that blame was attached to sir Peregrine Maitland for his conduct with respect to it. He could assure the House, that the conduct of that governor had been most strictly just and impartial. The act was in the House the year before it was passed, and it was only prevented from being carried into a law by the hasty prorogation of the assembly. It could not, therefore, be called a party measure when passed early in the next session. The act had only arrived in this country within the last week, and might be put into the hands of any member who thought fit; but he submitted whether, until it had been laid before the king in council, who had yet to decide whether it should be law or not, whether it could properly be brought under the discussion of parliament. On these grounds he should oppose the motion for the production of the opinions of the law officers, and for the act passed in Canada. On the two other motions he should propose amendments, founded on the view which he had taken of those motions. The hon. member concluded by moving to leave out from the word "Copies" to the end of the question, in order to add the words, "or Extracts of the Official Communications which may have taken place between the Secretary of State and the Provincial Government of Upper or Lower Canada, relative to the destruction of the settlement on the Red River, to any legal proceedings thereon in the courts of Upper or Lower Canada, or to any complaints made of those proceedings by lord Selkirk, or the agents of the Hudson's-bay or the North-west companies," instead thereof.

After a short reply from sir J. Montgomery, the motion, as amended, was agreed to.

## HOUSE OF COMMONS.

*Friday, June 25.*

Bank Advances Bill.] Mr. Peel having moved the third reading of this bill,

Mr. *Grenfell* expressed his satisfaction at its enactments. It was, he conceived, a measure which, allowing to the Bank their fair proportion of profit, would prevent those abuses to which he had so frequently called the attention of the House. It was now four years since he had first called the attention of the House to the nature of the transactions between the Bank and the government—since he had pointed out where it was that a saving might be made without any injustice to the Bank. Perhaps, now that the country was to be let into a portion of the large profits which were made—now that there was to be established those regulations for which he had contended, it became him to say, that he would now take his leave of the Bank subject. There were still, however, some details which remained to be settled, such as the charge for the management of the public debt, which amounted to some 200,000 or 300,000*l.* annually. Yet he felt satisfied upon this head, as he understood they were to be submitted to the committee of finance, or some other committee in the course of the ensuing session. He could assure the House, that he had no other than a motive of public good in all the motions he had made. He was actuated by no feeling of personal hostility towards the members of that respectable body, the Bank; and if in the course of any observations which he had had occasion to make, he had expressed himself with unbecoming warmth, he was sorry for it.

The bill was then passed.

Excise Duties Bill.] On the order of the day for the third reading of this bill,

Mr. *Western* said, he felt himself bound to oppose the motion. Much had been said on the subject of taxes affecting the poor, and taxes affecting the rich. The distinction was more apparent than real; for taxes on the poor must inevitably be felt by the rich, and taxes on the rich must diminish the funds for the employment of the poor, and consequently affect them as well as the rich. But certainly the more immediate operation of these taxes would be first felt by those whose means were already so inadequate for their proper support. For this reason, he objected to the tax on malt. He objected to it, as throwing a heavy burthen on the lower orders, and pressing with peculiar severity on an article of the first necessity. The new taxes amounted to three millions, and two millions of them were on an article, the consumption of which was of the utmost importance to agriculture—there being 1,500,000*l.* on malt, and 500,000*l.* of additional duty on British spirits. Were the House aware, that at that moment there was no less a sum than nine millions of taxes on malt, beer, and British spirits? The effect of this heavy taxation on malt must be, to diminish the consumption, and consequently the growth of barley. In 25 years, the consumption of malt had been reduced one-fourth. In 1790, and ten succeeding years, the average consumption of malt was 3,390,000 quarters. For the ten years ending 1816, the average consumption was only 2,907,000 quarters; so that, at this last period, there was a reduced consumption of 420,000 quarters. But it appeared from papers on the table, that if, in comparing the consumption of the two periods, an allowance were made for the increase of population in the latter, the consumption of 1816, in order to be equal to that of 1790, ought to have been above 4,200,000 quarters. Did not this clearly show, that when taxation was carried beyond a certain point, it had the effect of diminishing consumption? The House here saw the most useful articles for the consumption of the people positively reduced by the operation of this tax. In the period commencing with 1790, the price of barley was 31*s.* the quarter, and the duty 10*s.* a quarter. In the latter period, barley had advanced to 40*s.*, when at the same period the duty had advanced to 24*s.* Under these circumstances, it was thought necessary to take off the increased duty. By the imposition of taxes at the present moment, the House were taking a dangerous step. Whatever effect might be produced on our finances by having an actual sinking fund as contradistinguished from an imaginary sinking fund, he thought any advantage to be derived from this would be bought too dear by adding to the burthens of the country. He did not wish to underrate the resources of the country; but at the present time he thought the best policy would be to husband them, and not to press too severely on the people. For this reason he would move as an amendment, "That the bill be read a third time this day six months."

Mr. *Ord* said, he should not discharge his duty, if he did not protest in a more formal manner than by a silent vote against the present bill. Nothing could, in his opinion, justify any additional burthens on the people at the present moment.

Mr. *Farrand* contended, that it would be highly unjust to levy the new duty on the stock in hand. On account of the great fall in the price of barley, by the importation of foreign grain since the beginning of the season, the malster would not be able to realize from his malt the cost price of the raw barley.

Lord *Ebrington* could not help calling the attention of the House, to one point connected with this question, which he thought of considerable importance. When the proposition for the new taxes was first brought forward by the chancellor of the exchequer, it was accompanied with a resolution on the subject of economy and retrenchment, which could not have been forgotten by the House; and he (lord E.) was much disappointed, that, whilst the House had so readily acquiesced in the imposition of these burthens, no measure whatever had been proposed by ministers, for carrying the above resolution into effect. But how much was that disappointment increased, when, by the paper lately laid on the table, entitled "Increase and Diminution of Public Salaries," it was shown that the expense of the public offices for the last year, had exceeded the former one by above 100,000*l.*; that, in the two departments of Customs and Excise, 136 additional officers had been appointed in 1818; and that the increase of expenditure, under different heads, in these two branches alone, amounted to 107,000*l.* It was true that some reductions had been made in other departments; but setting the one against the other, there still remained a clear increase of no less a sum than 103,000*l.* in the course of the last year. He could not but hope, that those who had been so ready to impose burthens on the people would give some more specific pledge of their disposition to enforce economical reform than was contained in the high sounding but empty professions, the *vox et præterea nihil* of ministers.

Sir *R. Wilson* once more entered his dissent to the proposal now before the House. At this moment new rumours of disturbances were afloat in the manufacturing districts; plots probably not planned by desperate leaders, but by insidious instigators. But what materials would these men have for their work, were it not for the burthens under which the people were groaning. The new taxes were, when compared with the whole present amount of taxation, said to be small; but it is the last feather that breaks the horse's back.

The question being put, "That the bill be now read a third time," the House divided: Ayes, 134; Noes, 65.

*List of the Minority.*

Barham, J. F.
Barnard, viscount
Barnett, J.
Becher, W. W.
Bernal, R.
Benyon, Ben.
Birch, Jos.
Brand, hon. Thos.
Brougham, H.
Burdett, sir F.
Byng, G.
Buxton, T. F.
Burrell, Walter
Calcraft, J.
Calvert, Nic.
Calvert, C.
Cavendish, lord G.
Coffin, sir I.
Colborne, N. R.
Concannon, L.
Crawley, Sam.
Crespigny, sir W. De
Davies, T. H.
Denison, W. J.
Duncannon, visc.
Ebrington, visc.
Ellice, Ed.
Fane, J.
Farrand, R.
Fitzgerald, rt. hon. M.
Grant, J. P.
Gordon, Robt.
Griffiths, J. W.
Gooch, T. S.
Harvey, D. W.
Heygate, ald.
Hume, J.
Hutchinson, hn. C. H.
Lamb, hon. G.
Lawson, M.
Lefevre, C. S.
Lemon, sir Wm.
Monck, sir C.
Moore, Peter
Neville, hon. Rich.
Newman, R. W.
North, Dudley
Newton, Wm.
Onslow, A.
O'Callaghan, Jas.
Palmer, C. F.
Pares, Thos.
Parnell, sir H.
Phillipps, C. M.
Powlett, hon. W.
Price, R.
Robarts, A.
Robarts, W. T.
Rowley, sir W.
Smith, John
Smith, Wm.
Smith, hon Robt.
Wharton, John
Wilson, sir R.
Wodehouse, Ed.
Wood, ald.

TELLERS.

Orde, W.
Western, C. C.

CASH PAYMENTS BILL.] Mr. *Peel*, on rising to move, that the House should accede to the amendment introduced by the Lords into the Cash Payments' bill, observed, that in the alteration of their lordships was involved no departure from the principle of the clause upon which it was founded. By that clause, the option was left to the Bank of resuming the payment of their notes in the current coin of the realm on the 1st of May 1821, and the only change made by the amendment of the Lords was, to defer that option until the 1st of May 1822, this change being deemed necessary to enable the Bank more effectually to prepare for the complete resumption of cash payments.

Mr. *Ellice* said, he thought it ought to be left to the discretion of the Bank to return to payments in specie as soon as it might be deemed expedient; that it should be allowed to proceed as early as convenient, from the price of bullion or other causes, to discharge imperceptibly (if he might use that expression) the one and two pound notes, the bulk of which ought to be taken out of circulation previous to the entire resumption of cash payments. He would agree to the amendment, although it fell short of his views, rather than risk the clause altogether. Another reason for pressing the principle of that amendment was this, that in case the Bank should contract its issues of paper, while bullion should fall in price below the rate at which the Bank was to pay its notes, he could not conceive how the transactions of the country were to be carried on, if the Bank was prohibited from paying in specie, especially as gold in ingots was not a legal tender. Besides, any gold coin paid into the Bank could not again be issued, until the period mentioned in this amendment, and thus the currency of the country would be limited. Another reason for the adoption of the clause referred to was this, that although it was provided by the bill that the Bank should pay certain notes in ingots of gold, there was no provision that those ingots should be again received in payment by the Bank.

Mr. *Manning* expressed his concurrence in the views of the hon. gentleman, with regard to the expediency of leaving it to the discretion of the Bank to determine at what time, and under what circumstances, it would be proper to commence the payment of its notes in the currrent coin of the realm.

The amendment was agreed to.

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## HOUSE OF LORDS.

### *Monday, June 28.*

FOREIGN ENLISTMENT BILL.] Earl *Bathurst* rose to move that the bill be committed. His lordship observed, that the object of this measure was, to prevent his majesty's subjects from engaging in foreign service, from fitting out, equipping, or arming vessels for warlike operations against countries at peace with his majesty, without licence. By an act passed in the 9th of George 2nd, it was made felony without benefit of clergy, for a British subject to enter into the service of any state, sovereign or potentate, without his majesty's licence; an act was passed in the 29th in the same reign to prevent his majesty's subjects from serving as officers under the French king; and in the 9th of his present majesty an act was passed to prevent subjects from serving foreign powers without his licence, and to compel the officers of the Scotch brigade in the service of Holland to take the oaths of allegiance and abjuration. Acts having the same object were also passed in Ireland. It had been found that persons, without receiving enlisting money in this country, went abroad and enlisted. This contrivance was, therefore, guarded against by clauses in the act of the 29th Geo. 2nd, and the enlisting out of the country, or the seducing of his majesty's subjects so to enlist, was made felony without benefit of clergy. It was pretended that these laws had been framed solely to prevent enlistment for the Pretender; but that such was not the fact, their enactments, as well as the manner in which they had been carried into effect, showed. It was certain that the act of the 9th Geo. 2nd had been executed, without any reference to the Pretender, against enlistments for the service of the king of Prussia. Having stated how the law stood at present, he had to explain the circumstances which called for the present measure. Soon after the late peace it was discovered that several British officers had left this country to enter into the service of the Insurgents of South America. While the number who adopted this course was small, the government did not consider it necessary to notice their engagements. When, however, the number increased, and became very considerable, it was thought expedient to take such steps as might mark that such engagements were not made with the consent of his majesty's government. It was accordingly notified to officers on half-pay, that those who enlisted in foreign service, without his majesty's licence, would not be entitled to that half-pay. This step, however, had not the desired effect. The disposition to enter into the service of the Insurgents continued, and recruiting for their service was openly practised in the country. Soldiers were raised, regiments formed, uniforms of various descriptions prepared, considerable bodies openly embarked for South America, and it became necessary to think of some more effectual means of prevention. It was found, that the existing laws did not afford sufficient means. According to the law, any British subject enlisting without his majesty's licence, in the service of any foreign prince, state, or potentate, was, on conviction, guilty of felony; but this law did not apply to the South American Insurgents. At least it appeared very doubtful, whether persons enlisting with these Insurgents could come within the provisions of the law; and it was fit that the doubts which existed on that subject should be removed. The situation in which this country stood, with respect to Spain was also to be considered. By the treaty of 1814, Great Britain was bound to give no military assistance to the Insurgents; but at the same time the determination of the government to preserve a strict neutrality was declared. Now, the character of neutrality was, that nothing should be granted to one party which was not allowed to the other. A proclamation founded upon this principle was issued in 1817. By that proclamation his majesty's subjects were warned not to accept any commissions, or give any military aid to either of the belligerents. This principle of neutrality was strictly acted upon by the government, and though some British officers were serving by licence in the Spanish armies, it was understood that they were not to serve against the Insurgents. This understanding had been fairly acted upon, and two British officers who were about to serve in South America had been prevented. As there were, however, doubts respecting the power of applying the existing laws to persons enlisting for the Insurgents, it was requisite to come to parliament for new authority. By the present bill the acts of his late and present majesty, and the Irish acts, were repealed; and it was provided, that persons enlisting in foreign service should on conviction be guilty, not of felony as under the former law, but of misdemeanor only. There were other provisions framed for the purpose of carrying this object into effect, but these he did not think it necessary now to describe. The supplying belligerents with warlike stores, and equipping vessels for warlike purposes, were also prohibited. With respect to this part of the bill, he had heard no objection from any quarter. The evils experienced in commerce from vessels roaming over the seas, under unknown and unacknowledged flags, had been too generally felt, to suppose that British merchants would be much dissatisfied with the regulations provided by this part of the bill. The opposition to the measure had, therefore, been chiefly confined to the clauses which are framed for the purpose of preventing the enlistment of British subjects in foreign service. In arguing this question, he should confine himself to considerations of general policy. It was not, because he undervalued the force of the particular engagements existing between this country and Spain under the treaty of 1814, that he restricted himself to this ground; but he should prove the necessity of the proposed measure totally independent of the treaty; as a permanent, not as a temporary measure; and if on general principles the bill ought to pass, their lordships would acknowledge that the existence of the treaty only rendered the obligation to adopt this measure the greater. Looking, then, to the principles and grounds of general policy, he would say, that he should scarcely look for any other definition of a state incapable of maintaining the relations of peace and amity with other powers than this, that its subjects made war at pleasure upon states with whom their government was at peace, and without any interruption from that government to their pursuits. And yet, such had been for some time the actual situation of this country. Let them put the case of subjects of this country fitting out armaments from British ports for the purpose of giving assistance to the revolted colonies of another country, with which we were at peace; could this be suffered to proceed, in direct defiance of the neutrality of the government? But put a case still stronger, of an armament fitted out from British ports for the purpose, not of assisting the revolted colonies of another country, but of making an attack upon a place in the peaceable possession of that country; and by violence seizing and taking possession of it. This case had actually happened. The termination of hostilities in Europe left unemployed in this country a very great number of military men, officers and privates, and these stimulated probably by a principle of ambition, or the meaner passion of avarice, were unfortunately ready at the call of any adventurer to engage in war, without any regard to the interests or wishes of the government. A person assuming the title of sir Gregor M'Gregor, had fitted out an expedition from the ports of this country, had embodied a force composed of British troops, and taken Porto Bello, a place in the peaceful possession of a Spanish force. His ships were British, the equipment British, and he arrived off the Spanish settlement under the British flag. If this was done with respect to Porto Bello, might not a British force in the same manner be sent against Spain itself? Was this a state of the law which ought to be permitted to continue? Was it consistent with justice? Was it not, on the contrary, sanctioning the grossest injustice? Great Britain professed neutrality, and yet this powerful assistance could be given to one of the belligerent parties and not to the other, and that party from whom the assistance was withheld was the only one to which this country was bound by treaty. Could such a state of the law be regarded as consistent with common sense, or common honesty? He would appeal to what occurred under similar circumstances between other states. In the year 1792, a treaty was concluded between Great Britain and the United States of America, in which it was stipulated that the subjects of neither power should accept commissions in the service of any prince or state at war with the other. How was this treaty executed? When the war broke out between this country and France, did the United States permit aid to be given to our enemy? No, they passed a law for securing the execution of the treaty; at first, for two years only, at the termination of which the act was made perpetual. By that act any American citizen accepting a commission or enlisting in the armies of a prince or state at war with another power, with which the United States were at peace—concerned in equipping or arming vessels for the aid of such prince or state, was declared guilty of a high misdemeanor, and made subject to fine and imprisonment. The act also provided against any augmentation of the crews of ships of war belonging to either party, which might be in the waters of the United States, and against any expedition being fitted out in favour of either belligerent; which were declared offences, subject likewise to the penalties of fine and imprisonment. In this way had the United States acted on the breaking out of the war between this country and France: let him now ask, what conduct the same government had pursued with regard to the differences between Spain and her colonies? The United States were at peace with Spain, and wished to preserve a neutrality; but ships, equipped and armed in the waters of the United States, sailed to aid the Insurgents. The government wished to stop them, but it was found that the very same sort of difficulty existed there as here. The existing law only provided against aid being given to any prince, potentate, or state; and was silent with respect to countries in the situation of the Spanish colonies. The American legislature wished to realize the neutrality they professed, and in 1818 passed a bill extending the provisions of the act of 1792 to every description of state or power, whether regularly recognised or not. This was what had been done by the United States, and a measure of similar equality was proposed to be enacted by the present bill. It was our duty to make our neutrality real, and not to allow the one party to receive advantages denied to the other. We must either give assistance to both parties, or refuse it to both; there was no alternative but this. It was, therefore, for their lordships to consider which course they would adopt. For his part, he was prepared to contend, on the principles of general policy, that it was not the interest of this country to allow troops to enlist in the service of belligerents with whom we might happen to be at peace. It could neither be for the interest or the honour of the country thus to allow British subjects to discard their allegiance. In the whole of what he had said, their lordships would perceive that he had put aside the consideration of the existing obligations by which the country was bound to Spain—not that he did not regard those obligations as of great importance, but because he thought it sufficient to rest the whole merits of the question at issue on general policy, and the obvious interests of the country. If their lordships thought it would be a wise policy to permit enlistments for two belligerents, they would of course throw out the bill now under consideration. If, on the contrary, they concurred in the view of the subject with which he was impressed, and were of opinion that such enlistments ought not to be permitted, they would not hesitate to give this measure their support. It had been contended by some, that the liberty of entering into foreign service, in time of peace, would be advantageous, by affording British subjects a field for the display of their enterprise and spirit. It was said, "Repeal the existing laws, permit enlistment in the service of both belligerents, and then it will be seen that for one British subject who will enter into the service of his Catholic Majesty, a thousand will join the Insurgents." Now, if this were really the case, could the repeal of these laws be a measure of neutrality? Would it not be deliberately affording effectual aid to the one party, and none to the other? That could only be a measure of neutrality which carried with it no partiality to either party. Their lordships also would not fail to reflect, that the same measure which we dealt out to other countries might be returned upon ourselves. If such a principle of the law were founded in fairness and justice, let it be openly avowed and adopted; but if it rested on injustice, God forbid that any views of interest should induce this country to act upon it. Suppose this country at war with another state, or with some part of our own dominions, and France, during the contest a neutral power; what would their lordships think if France allowed troops to be enlisted in her territory, and embarked in her ports for the purpose of invading British territory, or acting against the forces of this country? What would the British merchants, who petitioned against this bill, say, if they saw expeditions sailing from French ports to attack the sources of our commerce in every quarter of the world? He was afraid we should not be much benefitted by its being left to the option of French officers to engage on either side, according to their individual opinions; nor did he expect that our navigation would be much benefitted by having the power of engaging French ships. Let it be supposed that we were engaged in a contest with our own colonies. That was a misfortune we had once experienced, and during that contest, many persons in this country were impressed with the opinion that the resistance of the colonies was lawful; but whatever differences of opinion prevailed respecting the questions in dispute, all parties united in condemning the interference of France. Such a law as that now contended for would, however, give the subjects of France the right of interfering, while their government remained at peace with this country. If, in the event of such an occurrence, France, who had, like ourselves, plenty of half-pay officers who would be glad to be employed, and plenty of disbanded soldiers, who would be eager also to be employed, should, whilst professing the most perfect neutrality, allow these officers and soldiers to enter into the service of our revolted colonies, and vessels for the same service to be fitted out in her ports, would it be very gratifying to us to be told by the French government, "we permit you in the same way to employ our officers, to enlist our soldiers, to fight your battles with your colonists, and to fit out our vessels for the same service, but unfortunately your cause is so unpopular in France, and the cause of liberty has so much the ascendant, that not a man will enlist under your banners, nor a vessel be furnished to you by its owners"—could this for a single moment be considered as a neutrality? and yet this was what had been proposed by those who had opposed this bill, to be the conduct to be adopted on our part. The only course, he contended, of maintaining neutrality was, to prohibit the subjects of the country from entering into the service of either of the belligerents, and to do this the present bill became necessary, in order to prevent British subjects from entering into the service of the Insurgents, in the same manner as they were already prevented by law from entering into the service of his Catholic majesty without the licence of the sovereign. The volunteering for the service of foreign states, which took place under queen Elizabeth, and in the two subsequent reigns, could establish no precedent against that general policy. In the time of Elizabeth the armaments were for the defence of Protestants. The political interests of Europe were divided between Protestants and Catholics; and as every war then waged, bore more or less reference to the creeds of the contending parties, it was the policy of Elizabeth not to discourage such of her subjects as thought proper to do so, from embarking in the quarrel of the Protestants of the continent. But did she suffer at the same time the Catholics of England or of Ireland to prepare expeditions in favour of Philip of Spain, or of any other Catholic Prince? Whatever volunteering then was permitted was in direct conformity with the principles, policy, and wishes of the queen. Let their lordships look also to the reigns of James and of Charles. The system of volunteering in time of peace was then permitted; but it was on one side only, and in accordance with what was supposed to be the policy of the state. He, however, would not say how far that policy was well or ill manifested. With respect to James, it was known that Philip of Spain had assembled an army of upwards of 30,000 men in Brussels, for the purpose of driving the elector of the Palatinate, who had married James's daughter, from his states. James sent emissaries to Brussels, to ascertain the objects of those military preparations, and to apprise Philip that if they were intended to be employed against his son-in-law, he could not remain an indifferent spectator of the contest. On that occasion, a British regiment, consisting of 2,400 men, volunteered to go to the defence of the Palatinate. War was not then absolutely declared by Philip, and it should be considered that before this regiment had volunteered for foreign service, James had expressed his feelings in favour of the cause the volunteers had espoused, and this force, although nominally composed of volunteers, was yet in a great degree supported at the public expense. A parliament was soon after called, which assigned funds for their maintenance, and gave permission to raise more troops for the promotion of this war. But would any one pretend that this was the best mode of proceeding, or that became a British monarch? This was the first public event in which James was engaged, and it became him to act with energy and firmness. The eyes of all Europe were fixed upon him, and being the first sovereign who had united England, Ireland, and Scotland, much was expected from the union of their combined strength, and it was necessary for him to make a demonstration of his power; but what did he do? He merely permitted those 2,400 men to volunteer for the defence of his son-in-law, against an army of 31,000 men, and by this act he disgraced himself in the eyes of Europe, and showed Philip plainly with what humility he would bear to be insulted. James showed that he had neither the policy of a statesman, the tactics of a soldier, the feelings of a parent, nor the honour of a gentleman; yet it was by reference to his conduct that the principle of allowing subjects thus to volunteer was sought to be defended.—His unhappy son, Charles, had permitted 6,000 British troops to enter the service of Gustavus Adolphus, when that warrior entered Germany, and for this permission it was secretly stipulated by Charles that Gustavus should restore his brother-in-law, the Elector, to the Palatinate. This engagement was kept secret for fear of offending the emperor. The latter, however, did not resent the conduct of Charles in permitting 6,000 British subjects to enter the service of the Swedish monarch, for fear of bringing down on him the whole force of the British empire. Gustavus, however, forgot to fulfil his engagement, and Charles recalled his subjects; but as he was unwilling to have the stipulation with Gustavus made public, he did not remonstrate against the non-fulfilment of the treaty. It was impossible to speak with harshness of the errors of that unfortunate prince. Whatever they might have been, he atoned for them by his melancholy fate, but it might be permitted him to say, that the unfortunate Charles was ever too ready to be diverted from the direct course of action at the first glimpse of difficulties. Difficulties too he had to encounter, for he was engaged in the only conflict in which a British monarch need entertain fear, namely, a war against the liberties of his subjects. He might have persisted with confidence in any foreign war, if he could have been induced to throw himself upon the affections of his subjects. The noble earl then commented at some length upon the impolicy of such a mode of expressing the principles of the government, and alluded to a case which occurred in the reign of James, when private volunteering was permitted, even contrary to the best interests of the country. At the time when the truce had expired between Spain and the United Provinces, James was endeavouring to bring to a conclusion his treaty of marriage between the Infanta and Prince

Charles; and to gratify the court of Spain, he gave permission to raise 4,000 men in his dominions for the Spanish service, to be employed against the Dutch. Thus was Great Britain aiding the country it was most her interest to oppose, and depressing that which it was most her interest to assist. When thus this system was seen employed against the best interests of the country, ought it to be left to be exercised at the discretion of individuals, and not be placed in the power of the Crown, to be exercised by the advice of its responsible ministers? Would the House upon such authorities refuse their concurrence in the present bill? It might be contended, that if the volunteering was permitted to go on without the licence of his majesty, or any encouragement from the government, this country would not be responsible to Spain; but the principle in such cases he understood to be this, that every government was responsible to the states with whom it was at peace for all acts of hostility committed by its subjects. If then the Crown was responsible for the acts of its subjects, was it not consistent with every principle of the constitution to make the advisers of the Crown responsible for the existence of that force which might become the means of involving the nation in disputes with other governments? In England the people were jealous, and justly jealous, of the existence of any army without the authority of parliament; they would not even allow the employment of foreign officers in our army in time of peace; and was it consistent with that spirit of caution and zeal in the cause of liberty which dictated such vigilance, to permit an army to be raised within the country by a foreign power without the permission of parliament, without the authority of the Crown, and consequently without any of the securities that were necessary to protect the Constitution? Parliament should be cautious, lest in its anxiety to permit British subjects to fight for the liberties of others, they should adopt or recognize principles injurious to their own. Professing as it did the principles of neutrality, this country ought to act fairly and impartially by both parties. To prohibit assistance to either was the best way of preserving that impartiality, and of preventing acts which might compromise the honour, or be injurious to the interests of the nation. In the confidence that their lordships would agree with him, that the bill under their consideration was founded in justice, strengthened by expediency, he would now move that it be committed.

Lord *Holland* began by remarking on the great variety of motives that have been adduced for passing the bill before the House, and the great variety of grounds on which its policy was defended. If in the transactions between man and man in ordinary life we found a person who stated various and contradictory motives for a particular action of life, his conduct would lead to the suspicion, that those alleged motives were mere pretences, and that the real motive was concealed. If, in addition to the variety and inconsistency of his statements, we found that he accounted for his conduct on grounds of so romantic a nature, as indicated the absence of all our usual feelings, and a neglect of our most cherished interests, it would not be uncharitable to imagine, that he not only aimed at concealment, but that his real motive, if disclosed, was of too odious a character to be openly avowed and defended. Now, when he recollected the course pursued respecting this measure, he could not but feel that the above description applied to it. When he recollected what happened more particularly in another place, where it was introduced on the ground of correcting an anomaly in our criminal law, by persons that opposed themselves to any revision or improvement of the criminal code, he could not but suspect the alleged motive. That ground was afterwards deserted, as being found too narrow for the superstructure to be raised upon it; and then we were told that the measure was necessary to preserve the principles of neutrality. Subsequently it had been discovered that this foundation was still too confined, and now the House was called upon to adopt the measure before it, because the country was pledged to it by the modification introduced into our practice by the stipulation of a particular treaty, which was completely at variance with the argument in its favour drawn from the principles of neutrality. Their lordships would observe, that this last position was inconsistent with the argument of neutrality, for if the article of the treaty bore the interpretation which the noble earl had given, it was not to support our neutrality between the contending parties, but to give one a decided advantage above the other that the measure was introduced. It had been said that the interests of this country were on the opposite side of the question, and the noble earl himself seemed to maintain the same opinion in his reasonings from analogy; but if it was against the commercial interests of England that the bill should pass, it was still more decidedly against the feelings of Englishmen. But it was maintained that the measure ought to be supported as enforcing the principles of justice and preserving the national honour. He would afterwards examine the nature and force of this plea; in the mean time it was sufficient to mention it, to show that it was at variance with the other grounds on which the bill had been defended, and contained a principle of so unusual a kind, as rendered the sincerity of those who advanced it doubtful. If any part of the measure was reasonable and just, he was willing to adopt it, though he objected to the unreasonable time at which it was brought forward. In this temper he concurred in those clauses of the bill which repealed the statutes of the 9th and 29th of Geo. 2nd. He did so, not because those acts were found oppressive in practice, or because they were in any way founded on principles like those of the present measure. There appeared nothing in their enactments or in their history to show that they had been passed to preserve our neutrality, or that their operation had been found necessary for that purpose. He believed there was great truth in the statement of those who accounted for their enactment from a fear of the Pretender, and a desire to prevent British subjects from being embodied under his standard. The latter of those acts, it should likewise be remembered, was passed in the view of a war. The noble earl had, indeed, mentioned one instance in which they had been executed, unconnected with the Pretender, and that was in the case of some persons enlisting into the Prussian service. This only showed that as the acts were passed when war was on the point of breaking out, that their object was, to prevent our subjects from joining a foreign force when their services were required at home. Such was the object of the acts which contained nothing from beginning to end which could be interpreted into the recognition of a right in foreign countries to demand from us the adoption of such a law. He came now to the question, whether the preservation of the principles of neutrality required the enactment of the present measure? And here he must say, that he had heard some part of the speech of the noble earl opposite that related to that part of the subject with no little surprise. Who would have thought that the noble lord would have had recourse to the legislation of the United States of America for authority on the law of nations, for an exposition of the principles of neutrality? Nay, who would have thought that he would have set aside all former precedents and condemned all former legislation at home, to exalt this new authority? Not satisfied with imputing cowardice and baseness to James the 1st, he seemed, at least it was a consequence of his arguments, to impute want of faith to all the kings of England in their transactions with other governments, and a total inaptitude to maintain the relations of peace and amity. It was however a misfortune, so far as the fate of the argument was concerned, that those monarchs, whether they consulted German jurists or took their knowledge from any other source, did actually maintain the relations of peace and amity with more success, and during longer periods, than the politicians of later times. Not only James 1st, however, who was censured by the noble earl for his pacific temper; and Charles 1st, so strangely blamed and eulogized in the same breath; but all the monarchs of England, up to the year 1736, suffered in comparison with this new oracle; and yet they had contrived, without any law of neutrality, to maintain peace longer than those who had succeeded them. He would venture by the way to suggest to the noble earl, that the love of peace manifested by James 1st, was more advantageous to his people than the opposite disposition that of late had guided the councils of this country. In speaking of the policy of Charles 1st, the noble earl professed a desire to use no harsh expression towards that unfortunate monarch, and yet could there be a censure more severe—could there be a statement more destructive of his character than what had fallen from the noble earl, who allowed that he was not sincere in his conduct; that he privately opposed those whom he publicly professed to favour; that he made promises of neutrality, and broke them to suit his convenience? The noble earl's profession of forbearance and lenity assorted ill with his enumeration of facts. He "wished not to speak harshly of the unfortunate monarch," while with the same breath he mentioned that he made war on his own subjects, and deceived his allies; that he was insincere in his foreign politics, and a tyrant and a despot at home. All this was called not speaking harshly of the monarch whose conduct was alluded to. As an argument in favour of the present bill, the noble lord had said, that if it was not passed we could not preserve our neutrality. Now, he (lord Holland) would, on the contrary, maintain, that the existing laws were sufficient for that purpose. He would even run the hazard of standing up for the prerogative in this case against the noble earl. And in doing so, he would speak not from the *dicta* of German jurists (whose authority, by the way, he was far from treating with disrespect), but on the experience of six centuries. There was an evident fallacy that ran through the whole of the noble earl's reasoning, namely, that the act of individuals was the act of the government. The noble earl had asked in one part of his argument if foreigners who joined a belligerent had belligerent rights. The reply was easy—they had no rights but those of the party whom they assisted. The noble earl had stated, that there was a person who called himself sir Gregor Macgregor, who had under British colours taken a Spanish town. Now, with regard to this person's title, he might assume any one he chose, and if he acted under the British flag, this bill would not prevent him, as it merely affected those enlisting in foreign service. He (lord Holland) would agree that the government ought not to encourage such enterprises. He agreed, that we ought not to make war on either of the parties; and he admitted that impartiality constituted neutrality. A sovereign might be called upon by one belligerent party with whom he was in alliance, to prevent his subjects from entering into the service of its enemy, so as to be employed against it. The sovereign might issue his proclamation, prohibiting his subjects from enlisting; and if they did so after that proclamation, they would be guilty of a high misdemeanor, and might be punished accordingly. But this was all that a belligerent state could ask. It could not demand from the sovereign a change in the municipal laws of his dominions, or a modification of them, to suit its convenience. The noble earl had said, "Look to the United States, and see what they have done;" but he had not adverted to the difference between the power of the executive in this country and the American union. The president of the United States had not the power like the sovereign of England, of making peace and war; and therefore, as the executive had not the right of enforcing peace, a foreign state had the right of demanding a law from the legislature to prevent war. The example of the United States was therefore no precedent for us, where the prerogative already possessed the right which a particular law was there requisite to confer. But though the bill under the consideration of the House was, in his opinion, inexpedient and impolitic, and though so far from serving the purpose of neutrality, it afforded great advantages to one side; he did not mean to say that it was a bill which their lordships had not the power to pass. They had the power. All that he contended for was, that the question was a question of expediency, and not a point of duty arising out of our situation as neutrals and our relations with foreign states. The noble earl, in recurring to ancient usages, had found out that the state of things was so different when the chief instances of enlisting into foreign service took place, that the precedent could not apply at present; he had found out that the kings of this country were obliged to support the Protestant cause against Catholic sovereigns, however much they professed to be at peace with those sovereigns. He had even appeared to maintain, that what would have been a breach of neutrality if done by individuals, was no such breach when connived at or authorized by the government. In pursuing his argument, he had made the strange admission, an admission not very creditable to our ally, that though the acts of George 2nd were repealed, Spain would not be able to get a man, while numbers would continue to flock to the standard of the Independents. It thus appeared that if we admitted both parties to equal rights, we could have no neutrality. It was now stated that we had many of our subjects in the ranks of the South Americans, and it was evident therefore that the present measure would operate partially against them. Thus we must have partiality on one side or the other; but the partiality of the former case resulted from our ancient law and the feelings of individuals; while, in the latter, it would result from the proposed enactment, and the unwise counsels of ministers. He came now to make an observation or two on the pretence stated for the licence to enter foreign service, in the times immediately succeeding the Reformation. The noble earl said, that such licence was given to support the Protestant interest. Did the noble earl, who was an enemy of the Catholics, and who believed that one of their tenets was, to keep no faith with heretics, not see that the tendency of his observations was, to affix a similar stigma on the Protestants, and to admit that the Protestants kept no faith with Catholics? He had stated, that through these means the balance of power was preserved. Was there formerly a balance of power, and was there none now, after all our boasted successes, after expending so much blood and treasure, and after imposing taxes that almost ground the people to dust? But he did not see to what the observation about the Protestants tended. Reverting to the principle of neutrality, he contended that the opinions of the best jurists were all in favour of that system which the noble earl had called a new one; the example of all nations was on the same side. The noble earl had quoted James the 1st, but he had omitted to notice the treaty of 1604, by which the king engaged not to grant any assistance to the enemies of Spain. When it was objected on the part of Spain that the English did afford assistance to their enemies, and application was made at the same time for aid, the answer of the government was, that the king would not assist either party. It contained none of the extravagant rant and vague jargon about Protestants, by which the present measure was attempted to be justified, nor did the statesmen of that period deem it expedient to alter the law. A similar reply was made in defence of the Dutch subjects, who entered the service of the bishop of Munster. But those might be reckoned old precedents. He would therefore direct the noble earl's view to what took place so lately as 1791. Did no persons then from this country enter into foreign service? He would read an extract from the Annual Register of that year, which was, he allowed, an anonymous work, but was reported to be written under the superintendance of Mr. Burke, and by a friend of his own (Dr. Lawrence), not much inferior in political knowledge to himself. The passage he would quote referred to the assistance lent to the Low Countries; and said, that the spirit of enterprise, which was at all times common, had led a number of English gentlemen thither to assist their neighbours: and as the court of Great Britain and the ministry were not supposed to be adverse to the project, they were allowed to go unmolested. They were received with open arms, and were, for the most part, quickly appointed to commands, and as many of them were possessed of considerable influence in their respective counties, they were enabled to raise a body of men under the title of the British Legion, which was altogether composed of English and Irish. As he spoke solely for the cause of truth, he did not mean to urge any thing beyond its just value; he did not mean to say that this was a great *dictum* upon the law of nations, but it showed how the doctrine of enlistments in foreign service was received by wise and able men formerly. He might even allude to the manner in which the bill now before the House would affect Spain itself, where there were formerly whole regiments of English subjects. He was afraid that he had said too much on the subject of usage and authority. He would now go on to state the dangers that might result from this new doctrine of neutrality. If what the noble earl proposed was one of the duties of neutrality, he had no hesitation in stating, that it was a duty which must be attended with great inconvenience to all the free countries in the world. If it was a duty which we took upon ourselves to prevent individuals from engaging in any foreign service, nations at war with whom we had concluded treaties of amity, might demand the execution of that duty. They might come and say, "You have signed a treaty with us, you have issued a proclamation to enforce the stipulations of that treaty; this proclamation has not been effectual, and lord Castlereagh told us at Congress, that nothing else could be done without a law; but we find that no law has been passed, that troops go out to join our enemies, and that all your promises have been falsified. We have therefore a right to call upon you to change your laws, to fulfil your treaties, and to make your promises valid." As soon as the present law should be passed, and found to be ineffectual, the king of Spain might come forward, backed by the Amphictionic council of

Europe, the assembled Congress, and say, "I find you have not yet done enough, and you must do more to secure the fulfilment of your engagements." Ministers might then find, that to make the laws effectual a police should be established, new and extraordinary powers should be granted to the executive, emigration should be prohibited, and the state converted into a prison for the confinement of its subjects (as it had been expressed by one of the German jurists), "*Ubi civitas est carcer.*" But even this might not be sufficient: some persons might even still escape to join the enemies of Spain; and the character of its monarch might be abused in England. Pressing on the yielding disposition of our government, the monarch of Spain might interfere with the liberty of the press, telling them, "You are too free; you have a press which does not spare even kings: while your present liberty exists, you cannot prevent that abuse, and you must therefore abolish your liberty, as the only means of preserving your neutrality." This, it was true, might sound so extravagantly, that no minister in this country would listen to it, but when they had sanctioned a principle against themselves, by what argument could they refuse this further concession? He was the more opposed to the present bill, when he considered that it was only one of a multitude of measures which seemed to be in contemplation; and that it went *pari jure* with another obnoxious act, the Alien act. He would not proceed one step further in such a policy. As an Englishman, as a friend to liberty all over the world, as a friend to the happy constitution under which we lived, he could not permit the question to pass without entering his protest against it. It would be superfluous to answer the argument for agreeing to the present bill, derived from the existence of our treaty with Spain. The words of the treaty, according to the assertion of the foreign secretary of state himself, merely referred to arms and warlike stores; and it would be a curious description of a soldier to bring him under the description of arms and warlike stores. It was well known at Congress, that that treaty had no reference to enlistment, and that its deficiency was complained of to the British minister there. These arguments were not, he admitted, sufficient to make us reject the bill. We might improve our laws, although the change ought not to be dictated by foreigners. The question was one merely of expediency and policy, which we were at perfect liberty to support or oppose, on the sole ground of our own interest. He would therefore inquire what favour we had received from Spain for such a boon, and what duty we owed her in return? He would say nothing offensive of the present sovereign of that country; he would not discuss his character, nor speak of the atrocious evils of his government. He could consider Ferdinand 7th only with reference to his relations to this country; but if we were called upon to vary from our present state of neutrality in favour of Ferdinand 7th, then he must consider the character of Ferdinand 7th in order to ascertain whether he was entitled to such a favour. He would not enter into a history of every incident in Ferdinand's life, which indicated his character; it would be sufficient to allude to a few of his public acts. The first act of his public life which merited attention was, his treaty with Napoleon Buonaparté. In that treaty he engaged to drive the English troops out of the Peninsula, and this he engaged to do in co-operation with the French army. In that treaty he favoured the commerce of France over the commerce of England. That treaty Ferdinand never rejected, as not binding upon him. It had been rejected only by the Cortes, by the men whom Ferdinand had since thrown into dungeons, and perhaps for that very reason. By no public act had Ferdinand ever disclaimed that treaty. But it was now pretended, that the treaty of 1814 wiped all this away. Well, he would ask any noble lord upon the other side, he would ask any noble lord in office, whether, with respect to the commercial interests of this country, the king of Spain had not violated every friendly intention expressed in the treaty of 1814. In the year 1796 there was a duty of 15 per cent upon English goods imported into Spain; it was now 90 per cent. In this, too, the superior favour to France was manifest, for the duty upon French goods, which in 1796 was 15 per cent, was now only 30 per cent. He knew that it was alleged that every idea of renewing the family compact had been renounced; but he also knew that there was at this moment no stipulation to prevent the renewal of it, or to prevent Spain from acting upon it. He could, therefore, see nothing to entitle Ferdinand 7th to what was a mere matter of favour. He saw nothing in the character or conduct of Ferdinand to entitle him to a sacrifice of the interests, and what was stronger, of the feelings of the people of Great Britain. He wished next to advert to the effects of this measure upon the half-pay officers. If he had, as much as the noble earl, encouraged the military spirit which had prevailed so strikingly in this country lately, not, he hoped to the danger of its peace and stability; if he had encouraged this military ardour so much as the noble earl, he would not have spoken so lightly upon that subject as the noble earl had done. It was, indeed, manifest to Europe, to the world, and to this country, how much we now suffered from the encouragement of that military spirit. We had thrown off the mask, and we heard no more of the prosperous situation of the country notwithstanding the war. We heard, it was true, in the speech from the throne, and in the address of that House to the throne, that the country was in a state of increasing prosperity; but it was now admitted by all, that the country was in a most distressed and most difficult situation. South America afforded an opening for our commerce, and gave suitable employment to our distressed soldiers and half-pay officers. Surely the present was by no means the best period for adopting such a measure, when our labourers were out of employment, and our mechanics and manufacturing classes placed in the most painful circumstances. Of those evils some degree of alleviation had begun to be felt in consequence of our intercourse with South America; but the effect of this bill would be to discountenance the cause of the Spanish colonies, and to break through the friendly relation in which we now stood to them. Let it be recollected, too, that this bill was calculated to counteract the natural disposition of this country to preserve a friendly intercourse with America, and even to emigrate to its provinces. The noble earl had therefore entirely misunderstood, he would not use a stronger term—but the noble earl had entirely misapprehended and misunderstood this subject, when he said that it arose out of the state of this country. On the contrary, he would say, that this was purely a question of expediency, and that those who voted for it, were, therefore, bound to show that the interests of this country required that we should favour Ferdinand more than South America.

The Earl of *Westmorland* contended, that this law was required, notwithstanding the common law authorized the punishment of enlistments for foreign service, as the object of this bill was to prevent the commission of the offence, which the common law could not do. The first position he should take was, that this question had nothing to do with the king of Spain. If he had acted unfairly in showing more favour to other countries, the noble earl trusted that this country was capable of manifesting its resentment; but he trusted it had had too much honour and feeling to manifest its resentment by a breach of neutrality. We had nothing to do with the consideration of liberty or slavery, superstition or independence, on the part of either of the belligerents. France, at the time of her revolution, had offered assistance to all who were disposed to resist their oppressors, and had, by doing so, raised the powers and opinions of all Europe against her. With respect to our commercial interests, he would contend, in the first place, that a bill to prevent engaging in quarrels was not likely to injure commerce. It was a new doctrine, that, by engaging in wars and quarrels, we should promote commerce. But he had special arguments to prove that this bill would promote our commerce. He had in his possession a petition from the merchants and inhabitants of Brest to their government, complaining of the interruption to their commerce occasioned by the English cruisers in the service of the South Americans. Those, too, who had the best means of information upon the subject, gave it as their opinion, that thousands and thousands had been thrown out of employment in consequence of the interruption given to commerce by the English in the service of the Insurgents. He would next reply to the argument respecting the half-pay officers. He was not one of those who imputed every case of distress and want of employment to an over-population. He, for one, believed the strength of a country to be in its inhabitants. The bill was intended to protect our population from wanton and useless diminution. But those brave men, who had fought our battles, were more entitled to our protection from this destructive warfare than other classes of persons. Let any person look to the treatment they received in South America, the sufferings and miseries those experienced who embarked in the cause of the Insurgents, and say whether it would not be proper on the part of the legislature to prevent others from proceeding in the same career. The object of this measure was, to repeal the 9th and 29th of George 2nd, and enable government to interrupt persons in their course, who were about to commit the offence contemplated in those acts. The offence was felony by the law as it stood at present, but the law could not operate until the offenders were beyond its reach. Ought the matter to be left in that situation? The noble lord said, "repeal the statutes, and leave the defence to be punished by common law." This might be sufficient with respect to powers with which we were simply at peace; but it should be recollected, that with respect to Spain, we were not only *amicus simpliciter*, but also *amicus confederatus*. Upon this ground, that we were bound by treaty, it was, that the government of the country, and not the king of Spain, called upon the legislature to pass this bill. If the king of Spain were to violate his part of the treaty, and to plead in excuse that the laws of Spain would not allow him to act otherwise, we should say, "We have nothing to do with your laws; you have made engagements with us, and you must conform your laws to those engagements." So the king of Spain was now entitled to say to us. The noble lord must suppose the king of Spain to be a better jurist than probably any foreign monarch was, if he imagined that he knew our laws so well as to be acquainted with the quibble, which would permit us to assist the insurgents, but not Spain. Upon this quibble their lordships would never act. The treaty with Spain had now lain five years on their table, and were they on a quibble to violate that treaty? As well might the executive government of Spain hereafter say she could not compel her subjects to accede to the abolition of the slave trade, notwithstanding her stipulation on that subject. It might be asked, why this interference did not sooner take place? In the first place, it had not been supposed that the raising of troops for the Insurgents would go to any extent in this country, and it had therefore been thought not worth while to interfere, especially as there was such a variety of opinions among jurists on the subject. In the next place, it had been expected that our mediation between Spain and the Colonies might be successful, and render such a measure unnecessary. In the third place, the proclamation was expected to have its proper effect. But when all these expectations had failed, and when whole armies proceeded from this country, and made war, where before there had been none, it was indispensable to pass such a law as was now under consideration. Upon these grounds the bill was entitled to the sanction of their lordships.

The Marquis of *Lansdowne* said, that in considering this bill in its object and in its details, he could not refrain from pronouncing it to be a measure not warranted by either the policy or the expediency of this country. He was persuaded that he should not be contradicted when he maintained that this bill was introduced not upon the ground of general policy, but in consequence of a specific application from the court of Spain, and that the whole light of general policy, had burst upon his majesty's ministers in consequence of this application. The question for the consideration of their lordships, therefore, was, 1st, the right of that power to make such a demand, and, then, the expediency, in the present circumstances of this country, of complying with that demand. Their lordships were called upon, first, to inquire, whether the demand ought to be acceded to upon any general principle of the law of nations, upon the ground of the usage of this country, or upon the stipulation of any particular treaty; and next, if the demand ought not to be acceded to on any of those grounds, to consider how far, in the present condition of the world, there existed any expediency to induce their lordships to depart from the undoubted law, and still more the feeling of this country for more than a century back. He might, if he referred to German jurists, incur the censure of criticism from the noble earl who had spoken first in this debate. All the writers upon this subject had been proscribed by the noble earl; and all the sovereigns of England who had acted upon the principles of those writers, the noble earl would not forsooth admit as any authority upon this question. He would not refer to many authorities; he would only allude to one who might stand in lieu of any other, because he did not so much give any original opinion as reduce the opinions and doctrines of others into a sort of compendium. The writer to which he referred was Martens. Martens stated, that it was consistent with perfect neutrality to give every assistance to either of the belligerents, except warlike expeditions. Would the noble lords, on the other side, say, that the efforts of individuals in the South American cause could be termed warlike expeditions? This could not be pretended, and nothing else, according to Martens, was to be refused. This writer proceeded to state, what he (the Marquis of Lansdowne) would have hesitated to say, that "every state has a right to give liberty of raising troops in its dominions, and marching them through the country, and may grant to one state what it refuses to another, in war and in peace, without infringing its neutrality." This reference he made, not for the purpose of showing to their lordships what the law was upon this subject, but only to meet what the noble earl had stated. The noble earl had represented this as a novel and unheard-of doctrine, but he had stated not one single exception to it. He would now advert to the circumstances to which the noble earl had alluded, and which he had selected as if for the purpose of inducing their lordships to abandon the ground on which questions of this sort had always been placed. The noble earl had stated, that queen Elizabeth was the first who had allowed subjects to engage in a war, with respect to which the government maintained a neutrality. The notions of the noble earl on this point were rather surprising, because, when referring to queen Elizabeth, who allowed her subjects to engage in the wars of neutral powers, "No," said the noble earl, "she did not allow her subjects to fight for the two belligerents, she allowed them to fight on one side only." His argument was, that the queen never allowed Protestants to serve Catholics, but Protestants only. But if queen Elizabeth was able to enforce this policy, whence arose the inefficacy of the common law, on which the noble earl had founded another of his arguments? The common law was said to be good for nothing, yet she had exerted that good for nothing power so successfully as to confine the assistance of her subjects to Protestants only. James 1st had been a great coward, it seemed, but the noble earl would admit that he had been no bad jurist. James 1st then, being a great coward, according to the noble earl, had, for the purpose of not involving himself, permitted 2,800 soldiers to be raised for the service of a foreign power. If the common law did not admit of this, why might he not as well have proceeded to war at once? That king piqued himself on being a jurist; it was the fashion of his age, and if the law of nations then interdicted his subjects from taking part in the wars of other states, he (the marquis of L.) was rather inclined to think James would never have suffered those volunteers to have embarked for the continent. The fact was, however, that he had given permission, or rather encouragement, for that was the noble earl's statement, to 2,800 men to go abroad, in the service of one of the belligerents, while he, protected by the law of nations, enjoyed peace at home! All history would bear him out in asserting, that this was the first attempt made to establish the principle that the subjects of one state could not privately and individually assist those of another where their respective potentates were not at war. He would venture to declare, that for the last four centuries, and down to 1792, when the Netherlands resisted Joseph 2nd, there never was a period in which British subjects were not engaged in giving this succour, as individuals, to other states; and he defied any man to show him in what instance any government had interfered to prevent them in the manner now proposed. The active interference of British subjects in the service of foreign states, was therefore not inconsistent with the doctrines of neutrality. But their lordships had been told, that the government of Spain was entitled to particular rights by the treaty of 1814, which had been so often alluded to. Now, what was the conduct of ministers on this subject, or what did they mean when they acceded to that treaty? It would hardly be contended that ministers, being aware that they had not the power of executing the treaty towards Old Spain, had, nevertheless, engaged to perform certain acts; but if that were the case, what justification could they offer to parliament for not coming forward sooner and saying, that it was necessary to adopt a particular law? Not a hint on this subject had been given; it had never been whispered that an alteration of the ancient policy of this country was necessary; but at the end of four years they came and stated, "Now we have to tell you, that four years ago we entered into a treaty with Spain, and the effect of that treaty is, that you must alter your existing laws." Such was the language which his majesty's ministers now employed; but he would observe, that Spain must be supposed to have entered into that treaty with a perfect knowledge of the existing laws; and if they were not acquainted with those laws, it was a breach of faith on the part of ministers not to inform her what they were. The plain inference then was, that neither Spain nor ministers had at the time any idea of asking or conceding this alteration in the existing laws of the land; he was therefore of opinion the stipulation for this alteration must have been made or understood at a subsequent period, and not agreed upon in the sense in which it was now contended for at the time by the contracting parties. This was the only way in which he could account for the silence of government upon it for four years. There was another circumstance in that treaty which showed how little it could justify a particular departure from the laws of this country. If their lordships looked to the treaties of commerce between Great Britain and France, they would find, that the subjects of the two contracting parties were interdicted from letters of marque. So that, according to the doctrines of the noble lord, this country, not having the advantage of a treaty of commerce with Spain, was supposed to have incurred the obligation which only a treaty of commerce could have imposed. The difficulties which were attached to the question bore a little hard upon the independent states of America. Under this law, if their lordships should consent to pass it, there would be a complete prohibition of arms and ammunition to the independents; and yet, at that very moment, arms were conveying to Old Spain. It must be well known, for the public prints had openly stated it, that the expedition from Cadiz had been delayed for the purpose of receiving arms from this country. So much for the strict impartiality and justice of his majesty's ministers. At that very moment, they were furnishing materials for the completion of the Cadiz expedition [No, no, from lord Harrowby]. He was happy that the noble lord contradicted this. It had been publicly stated in the newspapers, and hitherto it had not been denied. He should be glad if the noble lord could say, that no supply would be sent to Spain. But if he read this act rightly, the noble lord would find it difficult to prove that arms may not be sent. It was not because arms had not been sent, that they might not be sent to Spain. He had no hesitation in declaring, that this law would give to the government of Old Spain that assistance which ministers, professing the spirit of strict neutrality, were anxious to withhold from the colonies. Their lordships were now to consider upon what principle of expediency they were called upon to adopt the law of preventing any assistance from being rendered to the individuals of South America for establishing their independence. If they did not, as he thought they ought not, give way to any feelings which would tempt them to do an act of injustice, he asked, at least, that they would not allow themselves to be influenced by any principle, by any new, romantic, or Quixotic sentiment, to abstain from doing that which, consistently with the law of the country, might be done. Much had been said, both now and on former occasions, no matter where, with respect to our half-pay officers; and he now called upon their lordships not to forget the number and amount of those officers, who, after having fought the battles of their country, had become the victims of peace, and were driven to the means of obtaining that subsistence which our own policy had forced them to seek. It was well to describe in rhetorical periods, the blessings and comforts of domestic life; it sounded well to say that those who had been employed in war should now turn their swords into ploughshares, and devote the remainder of their days, if peace continued, to the cultivation of the earth; but thinking, as he did, that all war was an evil, and that peace was a blessing, he must say, that when a large body of men had devoted their lives to the service of their country, and were now unable to support themselves in their former rank, their lordships were bound to consider the situation in which those persons were placed, and not to check them in the honourable career and employment of their future lives. They were at least so far entitled to the consideration of parliament, that they ought not to be debarred from any employment in which the circumstances of the world might allow them to employ themselves. But there was still another view of this subject. He was also of opinion that the commercial interests of the country had a right to call upon their lordships not to dry up those new channels of enterprise which now opened to their view. Government, in the present languishing state of commerce, should not, upon light grounds, or through external influence, call upon parliament to enact a measure which would have the effect of blocking up from British industry and enterprise a channel of trade in the present and prospective state of the country, of such important value to its best interests. This was a great and important consideration, and which ought not to be treated lightly. Indeed, when he looked at this question in all its various points, he could wish that their lordships would place themselves fairly before the object, and consider maturely how these transactions would appear in the eyes of posterity. He firmly believed that there was no man in that House who would state, that the independent colonies of South America would return to the government of Old Spain: attached as they were to liberty and independence, not only from the natural feelings of mankind, but also from the very sacrifices of blood and money which they were making to obtain those blessings, was there any man who could assert that these states, in the growth and prospect of independence and liberty, possessing within themselves great fertility of soil, great extent of territory, a happy climate, and noble rivers, enabling the inhabitants to turn those advantages to the highest account, in short, commanding all the resources on which the edifice of their future greatness might be founded—could any man believe, that these states, in all the freshness and vigour of youth, would return under the tyrannical sway of their ancient government?—that they would sink into the arms of that government from which they had already suffered so much, which had shown that it was impotent for their protection, and which could make no other use of them, if she should recover them, than selling them to the highest bidder in Europe or America? After the long, bloody, and horrible war shall have ended, and the destiny of these states shall be fulfilled, it would be painful to find that England had only connected herself with these transactions by bills of pains and penalties against those subjects who had taken a part in that struggle in the cause of liberty and independence, and that, not content with the existing prerogative of the Crown—not content with dealing out a fair measure of justice between the contending parties, parliament had thought fit to invoke the aid of common informers against those persons who devoted their abilities and energies to the service of the South Americans. Every man who had a heart to feel must desire that the independence of South America might be established. The love of liberty which prevailed in this country must create a disgust of tyranny wherever it existed. We had long enjoyed the blessings of independence, and he trusted that the time was not far distant when they would be experienced in that quarter of the globe.

> "Nosque ubi primus equis Oriens afflavit anhelis,
> "Illic sera rubens accendit lumina vesper."

This country had been the birth-place of liberty, and it should not grudge to see it take its residence in another hemisphere. He agreed with his noble friend that the bill ought to be divided into two parts, he thought that by repealing the occasional statutes so often alluded to, a perfect measure of neutrality would be dealt out to Old Spain; but he would not consent to that part of the bill which prohibited our subjects from enlisting in the service of any government whatever.

The Earl of *Harrowby* said, that he felt great reluctance in troubling their lordships by citing authors to whom they were not disposed to listen with any satisfaction; but he thought that they could not do better than consult the opinions of men who, sitting in their closets, had examined the history of the world, and collected the sense of preceding writers. He had looked into many of those writers, and one in particular, an author of the highest authority, appeared to him not to have expressed himself in the terms which the noble lord opposite had stated. That writer certainly said, that the leaning of his own mind was, that persons might engage in foreign service; but he limited this by adding, that it must be considered whether they were or were not allowed by their own government to engage in that service; and he concluded by saying, that every person would judge for himself upon the arguments adduced; and yet this was the author who was relied upon by the noble lord opposite, as if he had said that in all cases the subjects of one country might engage in the service of another. Grotius, Vattel, and Puffendorff all maintained that it was a specially enjoined duty on the part of neutrals not to interfere in the contentions of powers at variance with each other, except for the purposes of intermediatory adjustment. These writers went so far as to state, that, even if the cause of one friendly power were more just than that of the power engaged with it, a neutral had still no right to aid the party who had even the juster cause against the other, or to erect itself up into a standard for adjusting the differences of independent nations. It was equally clear, according to Grotius, that a neutral had no right to give aid to each of the contending parties, for that would be to exterminate both.—With respect to the assistance given to foreign powers by James 1st and Charles 1st, that assistance furnished no precedent on the present occasion; for in both the former cases, the volunteers who went forth were armed with the licence of their sovereign. They were volunteers levied by the consent and with the authority of the Crown, so far as it respected the operation of their own laws upon them, though he was ready to admit, that if the parties against whom they marched, had called upon their sovereign to withdraw them, the latter must have immediately complied, or a rupture would have been the inevitable consequence. The noble marquis had found fault with government for not having recourse to this measure before, and had contended that such a measure would not have been had recourse to, but for the demand of the Spanish government. He was not aware of any such demand. That the Spanish government were anxious from the first, that the government of this country should enforce on the part of its subjects a strict neutrality in this contest he was ready to allow. It was also perfectly true, the applications from that state had increased in number and earnestness as the evil increased.—But it was this very circumstance of the evil's growing higher, that compelled the government of this country, in vindication of their own and the national honour in the face of Europe, to bring forward the present measure. Government did not interfere as long as there was no open or avowed support given to the Insurgents. They did not notice one or two ships sent out; but when whole expeditions were prepared, when the proclamation of his majesty had been found to have no effect in restraining them, when no hope remained of any adjustment of the differences between Spain and her colonies, then, he contended, it became the duty of the British government to interfere, and prevent what would, if unrestrained, amount to a direct breach of neutrality on their part. We were, from the nature of the acts already in force, bound to legislate on this subject; for it was known to their lordships, that some of those acts made that a felony which, by the present bill, would be only considered a misdemeanor. The object of the bill was not, as had been stated, to give a preponderance to one of the belligerent powers, but to prevent (which was the essence of neutrality) any assistance being given to either. The acts to which he had alluded had left the question of neutrality in some respects doubtful; but were we, for the omission of a few words in an act of parliament, to sanction a system which would be a direct breach of the treaty we had made, and of that neutrality which even without a treaty the law of nations called upon us to observe? As to the government having been induced to adopt the present measure in consequence of an appeal from other powers, he should observe, that no appeal against a right would be attended to. There were not instances wanting, and he could show them, where an appeal had been made against the dearest of our rights—the liberty of the press, and that too by the most powerful state in Europe; but the appeal would not be listened to; and our government would not for a moment attend to an application which went to infringe what it held to be so sacred and dear to the country. But without any appeal, it would not be deterred from an act of justice to two contending parties—the only justice which was required at our hands—that of observing the most strict neutrality between each. The American government, having passed a law to a similar effect in 1795, found that in that law there was precisely the same omission that there was in ours, and that omission had been lately rectified. Their lordships were not called on to change the law of the land, but to make it effectual. By whom were they called on to make it effectual? Spain was here strong in her very weakness. We could not be deterred from doing justice in this case, lest it might be supposed we yielded to menace that justice which we owed not to Spain more than to our own honour. Great stress had been laid by the noble marquis on the immense quantities of British arms said to have been exported from this country to Spain. He held in his hand an account of the number of fire arms of all descriptions exported to Spain during the last four years. In 1816 the number was 7; in 1817, 12; in 1818, 226. And the whole number to the 5th of January 1819, the latest period to which the same could be made up, amounted only to 1403. The value of the arms of every description, including swords, cutlasses, &c. was, for 1815, 5,200*l.*; 1816, 996*l.*; 1817, 3,846*l.*; 1818, 4,305*l.* Such therefore was the limited extent of the exportation of arms from this country to Spain, that in four years its value fell short of 15,000*l.* In this case, as in the other, government did not think the evil had arisen to such a height as to call for their interference. But they were perfectly ready, if the evil should be thought of a magnitude to demand interference, to submit to parliament a measure for the prohibition of the exportation of arms to Old Spain. Hitherto they had not thought the exportation of arms to Spain of such magnitude or importance as to call for interference. But they had prohibited the exportation of arms to Spain in South America, where it was of more importance to have arms, as it was there they were to be used. By the proclamation which was issued on this subject, the exportation of all military stores was prohibited to either of the contending parties. In that respect government showed the most perfect impartiality; and if any thing was omitted, it was the wish of government to make good the omission, in order to prevent any imputation whatever from being cast on them of favouring one party more than another. But it had been contended that the present measure, though it bore on the face of it a show of impartiality, was yet the very reverse of impartial, as it deprived the Insurgents of all the advantages they enjoyed under the existing state of things. But it was hardly possible there could be a violation of neutrality which was not more beneficial to one party than to another. Let their lordships recollect the manner in which we had ourselves acted towards France, when we stood in the same relation towards our American colonies, in which Spain now stood towards hers, and asked in what light the world would be disposed to view our prescribing to other nations a course which we refused to follow ourselves? We then went upon the principle *qui facit per alium facit per se*, and upon that principle we ought now to act. We could not in justice suffer our own subjects to adopt a line which we had resisted in the subjects of another state. How should we be disposed to view the application of the same principle towards ourselves in any disturbances in our present colonies, which we were now contending for in the case of the Spanish colonies? Supposing in Jamaica, or any other of our West India colonies, scenes like those which took place in St. Domingo were going on, and supposing also that the government of St. Domingo, professing also the most perfect neutrality between us and the Insurgents in Jamaica, should allow either party to levy troops in its territory, and a negro army should in consequence be allowed to leave that island to take part in favour of the revolted negroes of Jamaica, what language should we hold to the government of St. Domingo? Cases might easily be multiplied to show that the application of this doctrine would be fatal to the best interests of the country. With respect to the argument, that it would be cruel to our half-pay officers and soldiers, reduced by the peace to inactivity, to prevent them from embarking in this cause; before they said this was cruel, they ought first to consider the nature of the service which they were preventing them from entering into. We were not very accurately informed of what was now passing in that country, but from what he had heard of the correspondence of the officers at present there, he believed it would not be cruelty, but mercy, to give them an opportunity of returning from thence. All their letters were full of the wretched manner in which they were fed, clothed and treated. Indeed we knew enough of the characteristic jealousy of the old Spaniards to warrant us in supposing that in another hemisphere their feelings towards strangers would assume a different character. But even supposing our officers and soldiers treated as well as they could wish, it was to be recollected that the warfare in which they were engaged was a warfare of extermination. He had seen a proclamation to which the name of "Bolivar the Deliverer" was signed, justifying in very eloquent and powerful language the massacre of eight hundred Spaniards in cold blood, on the ground that this measure, frightful as it was, was merely a retaliation for similar acts of as horrid character. It was the duty of the legislature in mercy to our officers and soldiers to preserve them from scenes of this horrible description. After the victories in which they had gained so much fame to themselves and the nation, if they did not find in this country all those pecuniary advantages which their grateful countrymen might wish, but were unable to give them, surely their lordships would be solicitous, that at least they should preserve their character, that they should not engage in scenes that would unfit them for returning to society in this country; by lowering them in the scale of moral estimation; and loosening all those finer bonds that connected them with high and virtuous principle. They would not wish to see them engaged in a warfare which must infallibly destroy in them that character for humanity, which the British officer had always held so dear. From this stain their lordships must be most anxious to preserve their countrymen;—they must be most anxious to save the laurels of Waterloo and Victoria from being stained with the barbarities of the most horrible civil war of any recorded in history.

The Marquis of *Bute* contended, that it was unnecessary to pass a new law interfering with the departure of individuals from this country. He expressed his readiness to concur in any measure which would have the effect of preventing armaments for Spain or South America from being fitted out in this country; but he must strongly object to a bill which went to prevent individuals, upon their own risk and responsibility, from giving their personal assistance to a foreign state. This was a length to which we ought not to go for the gratification of any foreign power. The complaint of this country against France for her conduct in the American war was, not that unprotected individuals were allowed to leave France, and to take a part in the contest between us and our colonies. But when many of the French officers in the American service returned to France; they went to Versailles, and were there received with the highest favour. In that war, many of the most useful American officers were Germans; but should we have thought of going to war with any German prince because he permitted his subjects to serve with the American army? In the thirty years war, many individuals of these realms took different sides in that contest. In the armies of the empire, in that of Wallenstein, for instance, a great proportion of the officers were Scotch and Irish. There was a considerable difference between the arguments of the two noble earls opposite. The one had told them, the allowing of both parties the liberty of levying soldiers in this country would be of no advantage to Spain, as not one soldier would flock to her camp, while the other told them the officers and soldiers who joined the South Americans were so miserable that they wished for nothing so much as to return. Whence this difference between the two noble earls? With respect to the acts of George 2nd, subjecting those who might enlist in the service of foreign states to the punishment of death, they were most disgraceful and bloody, and every way unworthy of this enlightened age. He would strongly advise the division of the bill, as proposed by his noble friend.

The Earl of *Carnarvon* was afraid that this bill was not introduced so much at the instance of a power which had claims from its weakness, as one which was overwhelming in its strength. He should wish to be convinced that no power having an influence in the private affairs of several cabinets, had any influence in promoting the present measure; but he feared that such influence had been exercised, and on that account alone he should be disposed to give his opposition to it. He was sorry that the noble earl who had given so many quotations from celebrated jurists, had not extended those quotations, and not contented himself with giving only sentences which appeared to make for his own argument. He would maintain, that the passages quoted referred to the subjects of states at war with each other, and not to such a case as that for which their lordships were then called to legislate. If the noble earl had continued to read some of the passages from which he had quoted, he would have found that they did not at all refer to the argument in support of which he had used them. Vattel said, speaking of neutrality, that the permission of a state to levy troops in its own territories, given to one belligerent power and withheld from another, would not be a just ground for war; but that war would be only justifiable, if the state which gave the permission had also furnished the levy so made. Applying this, then, to the particular case before their lordships, there could be no ground for the present bill. The argument of the noble earl, of *qui facit per alium facit per se*, was an assumption of that which he (lord C.) denied. The noble earl assumed, that the acts of the individuals who engaged in the cause of the Independents were the acts of the government; but it should be remembered that they were not the agents of government who engaged in this cause. Government did not sanction them, and could not be bound for any thing which it did not authorize. The case of America had been cited, but, he conceived, with very little application to the question. Could America be mentioned as an instance favourable to the present measure, when she, who was said to be so strict, had not only not condemned, but absolutely approved, of the making war by an individual of her subjects upon a state with which she was in amity? He need not call to their lordships' recollection the recent case of general Jackson. It had been said, that if this bill were not passed, there would be no fair play on our part towards the contending powers, because that though there might be exertions made to recruit for Spain, no persons would be found to join her cause in this country; but the act which would prevent assistance to either, would, in fact, be as little of fair play towards the other party. It would be giving the preponderance to one side. But was not the situation of Spain and of this country much changed since the year 1814, when the treaty, on which so much stress was laid, was first contracted? Had no events recently taken place, which were calculated to affect the interests of Great Britain? Had not Spain ceded to America that very colony, which of all her other colonies was most important to the welfare of our trans-Atlantic possessions? Had not this very cession, which Spain had pledged herself never to make, except with the consent of this country, been defended in their lordships' House, on the ground that Spain was so imbecile as not to have power to prevent it? Ought not the House, therefore, to pause, as well for the interests of the country, of which they formed so effective a part, as for the interests of humanity, in which all were so deeply concerned, before they passed into a law a bill like the present, especially as their lordships could not help seeing that Spain was not even able to defend those of her colonies which had not revolted? Was it sufficient to say, "We will force our subjects to retire from this contest," without even considering whether the withdrawal of them would benefit the cause either of Spain or of this country? If every British subject who was inclined to hazard his fortune and his life in this struggle, were to be prevented from passing from this country to South America, was there any probability that Spain would ever recover the power which she once wielded over it? Would not each of her colonies, one after another, fall a victim to the avarice and ambition of another great power? Would not the fate of Florida soon become the fate of Mexico? When we looked at the weakness, the imbecility, and the absurd policy of Spain, it was proper that we should also consider what the fate of South America would be, were the House to withdraw the British troops from it. If he had heard the noble earl aright who had brought in this bill, he had said that British troops, with all the discipline and valour which distinguish them, had been sent out in such numbers as could not fail to decide the conflict in favour of the side to which they attached themselves; and yet, to his great surprise, the same noble earl had afterwards made many touching appeals to the feelings of the House, regarding the necessity of preventing our countrymen from embarking in a cause to which it was certain that they must eventually fall a sacrifice. He could not help saying that he was much astonished at this inconsistency in the noble earl's arguments, as also at the very extraordinary mode in which he had made an appeal to their lordships feelings: having marshalled all the Dutch and German jurists in his ranks, having turned all the scraps and quotations which could be taken from them to the very best use to which ingenuity could turn them, the noble earl had made an address to the feelings of their lordships, in order to attract them to that side against which all their wishes must naturally be directed: for he had, in a contest of millions struggling for liberty against the most debased and arbitrary despot that ever existed—he had, in a struggle between the assertors of the rights of humanity and that sovereign who had revived the inquisition; who had re-established torture; though it was abolished in every country of Europe (except indeed a remnant of it were to be found in the kingdom of Hanover), he had endeavoured to excite their passions in support of the cause of tyranny; whilst he had endeavoured to damp them in behalf of the cause of freedom! It was painful to recollect, that whilst the liberty of Spain had been acquired by the toil and blood and expenditure of Britain, that toil and that blood and that expenditure were so far from being allowed to aid the rising liberty of the South Americans, that they were even to be arrayed in the field against it. He thought that upon such a subject the noble earl ought not to have had recourse to any declamatory topics, or, at least, that he ought not to have recourse to such topics as were calculated to propagate an idea that the infusion of British valour and discipline into the American army would lead to a more fierce and sanguinary termination of the struggle than would otherwise take place. Now, if he knew any thing of the valour and discipline of a British soldier, the infusion of those qualities of which he was in possession, into the bosoms of the American Insurgents, would lead to a more fair, a more mild, and a more equitable conclusion of the quarrel. If their lordships should pass the present bill into a law, they would pass a law which would not merely be injurious to liberty in general, but to the interests of Great Britain in particular; and which, at the same time that it would injure us, would not be productive of any ultimate advantage to that power in whose behalf it was intended to operate.

Lord *Holland* wished to ask two questions. It had been asserted in debate, that no application had been made by Spain on the subject of this bill. Would ministers object to a motion for all papers or correspondence with the ministers of Spain, and of other foreign courts, on this subject? Would they also object to lay before the House an account of all licences granted for the exportation of arms, and warlike stores to Old Spain; or if it were deemed more regular, he would make a motion for an account of all licences granted for the conveyance of such warlike stores?

The Earl of *Harrowby* said, he had read an account of all the arms exported to Spain, and he had no objection to lay it on the table of the House. He had stated truly that no demand had been made by Spain for any legislative measure; but he allowed that Spain had made complaints of the breaches of the royal proclamation.

Lord *Holland* wished to know whether no correspondence had taken place with the government of Spain respecting the two laws of Geo. 2nd, which were repealed by this Bill?

The Earl of *Liverpool* declared, that not a single word had been said (as had been hinted) at the Congress on this subject; and that there had been no demand made by the Spanish government respecting it. Unquestionably, it was impossible for the representative of Spain in this country to look with indifference at the expeditions which were fitting out against her. But the representations which the Spanish ambassador had made to the British government were not made until he had seen that his majesty's proclamation to prohibit the entrance of British subjects into the Insurgent service was totally disregarded. Undoubtedly that representation would naturally lead to an inference, that if the law did not allow the executive to attend to it, an application to the legislature was desired. As to the production of the correspondence, he thought no sufficient ground had been laid for it, and he should oppose it, unless some stronger cause were assigned.

Lord *Holland* said, the noble earl had not satisfactorily answered his question, whether reference had been made by the Spanish government to the statutes of George the 2nd.

The Earl of *Liverpool*.—To the best of my knowledge and recollection, no.

The House divided: on the Amendment: Contents, 27; Proxies, 20—47. Not-contents, 49; Proxies 51—100. The bill then went through the committee.

## HOUSE OF COMMONS.

*Monday, June 28.*

GENERAL BOYD.] The House being in a committee of supply,

Mr. *Wilberforce* prefaced his motion for a grant of remuneration to general

Boyd, by a short statement of the circumstances on which the claim was founded. That officer, who was a native of the United States, had in early life rendered a great service to the cause of this country in the East Indies, at a very critical period of our affairs there. He was at that time the commander of a corps in the service of the Nizam. A large French force and a small English force being not far distant from each other, the commander of the latter apprehending a sudden attack from the former, applied to general Boyd at midnight for assistance, a request with which he did not for a moment hesitate to comply. The alarm was unfounded, but general Boyd's friendly zeal was handsomely acknowledged by the British government at Calcutta. To himself, however, it proved highly injurious; for the French party at the court of the Nizam were so successful, that he was deprived of a situation from which he was then in the receipt of 9,000*l.* a year. Having been unable to obtain any compensation in India, he came to this country, and gained permission to take a cargo of saltpetre from Calcutta to the United States; by which adventure it was calculated that he might make 50 or 60,000*l.* He was also furnished with a special licence to protect him even should a war break out. The committee would, however, hear with surprise, that notwithstanding those precautions, the vessel in which general Boyd shipped the saltpetre touching at the Cape of Good Hope to land some passengers, was there detained, and condemned by the vice-admiralty court. Although thus deprived of the advantages to which he was so justly entitled, general Boyd maintained his original good will towards England; in proof of which, he would read a letter from a general officer in the British service, who during the late war in America commanded on the frontier of Canada, near the spot in which general Boyd had a command on the part of the United States [The hon. gentleman here read the letter in question, which was from general de Rottenburg to W. Mellish, esq. and spoke in high terms of the liberal conduct of general Boyd]. After the conclusion of the war with America, an application had been made on the part of general Boyd to the British government for some remuneration for the loss which he had sustained in consequence of his conduct in India. It was recommended both at the secretary of state's office and at the treasury, that the subject should be brought before parliament, and submitted to the investigation of a committee. That was done, and the committee sat last session. In the committee there were several points of difference, but by far the larger portion of the members acquiesced in the justice of general Boyd's claim, although they did not agree as to the extent to which it ought to be allowed. Eventually, they came to a resolution, recommending the case of general Boyd to the consideration of parliament. He would therefore move, "That the sum of 6,000*l.* be granted to his majesty, to enable his majesty to issue and cause to be paid to general Boyd, a citizen and officer of the United States of America, in consideration of the saltpetre, exported under the king's licence, as a remuneration for a service formerly rendered to this country in the East Indies, and for the expenses and trouble incurred in the prosecution of his claim; and that the said sum be issued and paid without any fee or other deduction whatsoever."

Mr. *Marryat* contended, that general Boyd had no claim whatever on this country. In the first place, on the occasion alluded to in India, general Boyd had not moved from his position in aid of the British; and in the second place, he had endeavoured to magnify his losses with a view to obtain a larger sum than that to which, even were the justice of his claim allowed, he was fairly entitled. If general Boyd had insured his cargo of saltpetre for the sum which he expected to obtain by it, he would have sustained no loss. He was surprised at the interest taken by the hon. member, in an individual, who, at the head of 2,000 mercenaries, had been ready to fight for any power which might think fit to employ him. He could not consent that the taxes wrung from the people should be improvidently lavished; and was satisfied that the claim set up on the present occasion was totally unfounded.

Mr. *Wilberforce* said, that if it had appeared to the committee, that any fraudulent attempt had been made to impose on them, they would have flung back the application with disdain and indignation. There was nothing in the evidence to warrant such an imputation.

Mr. *Gurney* observed, that the House ought to consider that this was a service rendered by a foreigner. It would have been both the duty of a British subject, so placed, to have assisted his country; but general Boyd had no interest to serve; on the contrary he performed this service at a great disadvantage to himself.

Sir *J. Mackintosh* felt it his duty to support the proposed grant. There was no doubt entertained of the extent of the service, or of the justice of the remuneration given by the India Company. This remuneration was, permission to take a cargo of salt-petre to America, from which he would have realized a very great profit. Of this profit he was deprived, by the cargo having been seized by British officers. Having lost the reward given by the India Company, general Boyd appealed, not to the justice, but to the equity and liberality of parliament, for some recompence for his services. If he understood the objections urged against the motion, they were two-fold: first, that general Boyd ought to have protected himself from loss by insuring his cargo; and secondly, because there had been some mis-statements relative to the amount of the loss. If the vessel had been lost at sea, or captured by a French privateer, the first would be undoubtedly a good argument against any claim on this country; but here the case was different. How was this property lost to general Boyd? It was lost by the act of British officers, and therefore by the act of the British government. How was he to provide against this? Suppose the compensation had been in money, and that general Boyd had been robbed of it by officers professedly acting under the British government, would it be contended that he had no claim on this country? Undoubtedly not. And yet the principle was the same. This gentleman could not have had an idea that he ought to insure property received from this country against the acts of this country. This was in fact giving with one hand and taking away with the other.

The motion was then put and carried.

## HOUSE OF COMMONS.

*Tuesday, June 29.*

The House, at two o'clock, went into a committee on the Grampound Bribery Indictments. After several witnesses had been examined, the chairman reported progress, and Mr. Wynn moved that the minutes of evidence be laid before the House. It deserved, he said, serious consideration, whether it would not be proper to proceed against a witness who had destroyed a material document pending an investigation.

IRISH STILL FINES BILL.] The House being in a committee on this bill,

Mr. *Hutchinson* said, he objected to the whole of the measure. He had little doubt that the chancellor of the exchequer had been induced to abandon his first intentions, and to adopt the present bill, in consequence of the statement to him of some strong case; but he was quite at a loss to imagine what that case was. If the right hon. gentleman had founded his determination in this respect upon the Rev. Mr. Chichester's pamphlet, he must say, that the right hon. gentleman was in no way justified in coming to such a resolution, for that pamphlet was full of gross exaggerations, in many parts answered itself, and in others was overcharged and overwrought. Some of the accusations, indeed, were even futile and indecent. He could not believe that the chancellor of the exchequer had proceeded to the length of repealing the present beneficial law, in consequence of giving credit to such assertions; and if he had not, it was his duty to call upon the attorney-general to prosecute the author for a scandalous libel. It was not because the existing law had in some few instances been exceeded, that a bill like this was to be adopted, which would be most injurious to the trade and agriculture of Ireland. The present law had been very efficient in Donegal and the north of Ireland, in putting down illicit distillation. All enactments of this kind connected with the revenue were liable to abuse; but what he complained of was, that because a forcible speech had been made, and an exaggerated pamphlet written, a law which had produced so much advantage was to be abandoned, at the risk of restoring a system which it had taken years to destroy. The measure before the House would have the effect of injuring all the great distillers in Ireland; and through them a blow would be struck at the agriculture of the sister kingdom. The appeal made to the House against the fining system was, that the innocent suffered for the guilty; but by the new law, a very numerous police was to be established in the various districts, half the expense of which must be paid by the inhabitants of England and Scotland, and the rest by the district where the police was necessary. Surely this was most effectually making the innocent suffer for the guilty; for what pretence was there to call upon the empire at large to pay heavy sums, because ministers did not think it politic to continue a measure which had, in a great degree, put an end to illicit distillation? In truth, the present object of government was, to benefit the members for the north of Ireland, at the expense of the inhabitants of the whole kingdom. The hon. member then went on to explain more fully the evils that would arise from the encouragement of small stills: he contended, that small stills could only be productive when they were greatly multiplied, and that their multiplication would be the destruction of the rest of the trade. He concluded by further pressing the exaggerations in Mr. Chichester's pamphlet, and by repelling the attacks it contained upon the various excise boards.

Mr. *Chichester* rose to vindicate his relation, the author of the pamphlet referred to by the last speaker, from the charges brought againt him. That rev. gentleman was anxious to be allowed an opportunity of proving what he had advanced, and he certainly felt that he laboured under the disadvantage of making assertions, as to severity and tyranny, that appeared on the first blush incredible.

The *Chancellor of the Exchequer* denied that he had made the statements of the pamphlet in question the grounds on which he had acted. It was obvious from the proceedings of the House for the last three or four years, that a deep feeling prevailed against the extreme severity of the law relating to still fines in Ireland. He allowed that that law had been in a considerable degree effectual in protecting the revenue, but the increasing indignation against it had induced him to look out for a substitute: he had endeavoured to find a middle course, and that middle course he flattered himself was the bill now before the House. He could not agree that it was established upon the principle of making the innocent suffer for the guilty, nearly so much as the law which it superseded. The country at large was chargeable with the burthen of the whole revenue system, and the objection applied as much to all laws connected with the collection of the excise, &c. as to the present. As, however, this bill was partly local in its operation, he had thought it just that half the weight should fall upon the district where the police was rendered necessary. He had turned his best attention to the subject of small stills: it was enveloped in difficulties, in consequence of the clashing of interests and the system of drawbacks and countervailing duties in Great Britain; and upon the whole he felt that it was a matter that ought to be deferred until another session. It might, however, be well to introduce a measure relating to small stills in the present, that it might stand over until the next session, and the opinions of all classes be ascertained.

General *Hart* said, that having been on the staff in Ireland, he had had an opportunity of knowing the truth of many facts similar to those detailed in the pamphlet alluded to. He pledged his own personal knowledge for the truth of four out of five of the cases of cruelty and severity stated against the excise officers by Mr. Chichester. The still fines law had introduced poverty, demoralization, and misery, into a part of the country where they were previously comparatively unknown. He understood that since the crown land fining system had recommenced, 25,000 persons had embarked at Derry for America; and that preparations were now going on there which induced people to think the number would this year be greatly increased. The effect of the existing law was, to produce a total change in the character of many of the inhabitants of the north of Ireland. He complained that there was nothing in Ireland but a system of punishment; misery had been ameliorated in other countries—punishment had been nearly abolished even in the army—why should it be reserved for the people of Ireland alone? In Ireland the people knew nothing of the law but its severity. In Ireland there were good materials; it was to be lamented that these materials were not properly used. The people of that country were not treated with lenity. If they were encouraged; if their energies were called forth; the empire would reap the full fruits of a wise and liberal system of government, in the increasing strength and prosperity of the empire.

Lord *Mount-Charles* said, that unless the collateral measure for the encouragement of small stills should be passed, the present bill would not be attended with its full efficacy.

Sir *H. Parnell* thought it was through the fault or negligence of the civil power alone that any measure of this nature could be deemed necessary.

Lord *Castlereagh* recommended the adoption of the repeal of the fining system, combined with the establishment of the police, and the postponement to next session of that part which related to small stills; with a pledge that it should be one of the first measures then taken into consideration.—Some further discussion took place; after which various clauses were proposed and discussed. On a clause for giving the grand juries the power of levying the still fines on town lands, the House divided: Ayes, 37; Noes, 17. The House then resumed.

## HOUSE OF LORDS.

### *Wednesday, June* 30.

Reversal of Lord E. Fitzgerald's Attainder.] The Earl of *Liverpool* rose with peculiar pleasure to present to the House on the part of the crown, an act of grace to restore two unfortunate individuals to their full rights as British subjects. It was to reverse the attainder of lord Edward Fitzgerald, by which the blood of his two children, Edward Fox Fitzgerald and Louisa Maria Fitzgerald, had become corrupted. The preamble of the present bill contained three reasons why the former bill should be reversed. The first was, that the individual in question had never been brought to trial, owing to circumstances to which he should do nothing more than allude at present; the second was, that the act of attainder had not passed the Irish parliament till some months after his decease: and the third, which arose out of the two first, was, that as he had not had the benefit of a trial, the attainder could not have been issued against him upon a regular conviction. He thought that these were sufficient reasons for the House to accede to the bill; but, even if they were not, he implored their lordships to recollect that he stood before them as the advocate of unoffending and innocent individuals. One of them had served his country in the field, and had distinguished himself by his gallant behaviour on several occasions: to him, therefore, as well as to his sister, the boon now proposed would be peculiarly gratifying. The Crown, in proposing this act of grace, was performing an act which was delightful to the feelings of the Prince Regent; and he had no doubt but that it would be quite as grateful to the feelings of their lordships to mitigate the severity of a measure which had been passed in unhappy and unfortunate times.

The Duke of *Wellington* said, he could not let the present opportunity pass by without bearing testimony to the brave and honourable and excellent conduct of the young man in question, during the time that he had been acquainted with him.

Lord *Holland* confessed his inability to restrain the feelings by which he was then agitated. He must, therefore, express his gratitude to his Royal Highnessfor the act of grace which he had just caused to be proposed to the House; he must express his acknowledgments to the noble earl, for the honourable and manly manner in which he had proposed it; and he must return his most heartful thanks to the gallant duke, for the flattering testimony which he had borne to the merits of one of the individuals who were to be benefited by it. He felt great satisfaction at the manner in which the preamble was worded, both on private and public accounts. With the private reasons it would be improper to trouble their lordships; and with the public reasons, it would be both injudicious and ungrateful to interfere, on an occasion where unanimity was of so much importance. However, he might have differed in the course of his public life from the noble earl opposite, he was happy to state that that difference had never destroyed or diminished the private attachment which subsisted between them; and in the present instance, he must say, that the dearest friend whom he had in existence, could not have conferred an essential favour upon him in a manner more congenial to his (lord Holland's) feelings, than that which the noble earl had just adopted. He must, therefore, beg leave, both as a public and a private man, to return him his most sincere thanks for the generous and kind-hearted attention which he had exhibited towards the individuals whose interests this bill was calculated to advance.

The bill was read a first time.

## HOUSE OF COMMONS.

### *Wednesday, June* 30.

Cork Harbour Bill.] Sir *Nicholas*

*Colthurst* moved, that this bill be now read a second time,

Mr. *Hutchinson* said, he felt it to be his duty to state to the House the very awkward situation in which he was placed with respect to this bill. Some time since, when the hon. baronet brought in the bill, he had received a letter from the mayor of Cork, and from a number of merchants, requesting most anxiously that he would give his support to the measure. By the very same post there was also forwarded to him, a letter, agreed to at a very numerous meeting of the mercantile interest in Cork, calling on him to oppose the bill. He was sorry to find that so decided a difference of opinion existed in the city of Cork; but the fact was, that many of the inhabitants, persons of great respectability, were decidedly opposed to this bill. It was a most desirable object, that the harbour should be properly improved. Those who petitioned against the bill were of that opinion; but they differed essentially, as to the nature of the present measure, from those who approved of this bill. The bill went to impose a considerable taxation on the city of Cork. He found that a public meeting was called, in May last, for the purpose of considering this measure. The object of the meeting was, to discuss the merits of the bill; but that meeting did not come to any decision, although it appeared clearly, that the sentiments of those who attended it were hostile to the bill. Two days afterwards, another meeting was assembled, in consequence of the former not having come to any resolution, and agreed unanimously to a series of resolutions against the bill. Here, he wished to state, that he did not mean to censure the bill; perhaps when the measure was duly considered, it might be found unobjectionable; but it came on him entirely by surprise. They were now very near the termination of the session; so that it was not possible for those who were hostile to the bill, to state, before a committee, their reasons for wishing it to be rejected. He, however, submitted to the hon. baronet, whether it would not be better, to postpone any further proceeding until the ensuing session. It was not the wealthy merchant that would feel its operation, but persons of more humble means, and whose case, therefore, called more especially for the protection of the legislature. He was placed, with respect to this bill, in a most painful situation. Those who were in favour of it had gone, he believed, to great expense to effect their object, and a gentleman of great respectability had come over from Ireland, in order to watch its progress. On the other hand, Mr. Isaac Hewitt had been sent over with a petition against the measure, which had been put into the hands of the hon. member for Shrewsbury (Mr. Bennet). He learned from that petition, and he believed the fact to be so, that there was a strong popular feeling against the bill, and therefore he hoped the hon. baronet would adopt the course he had pointed out, and abstain from pressing it further at present; or, at all events, that he would not precipitate any of its stages through the House.

The *Speaker* said, that where a strong opposition was manifested against any private bill, it never was the practice of the House to suffer any of the regular stages to be hurried over. This being the case, it was for gentlemen to consider, whether there was any prospect of the present bill passing through the committee and third reading in this House, and afterwards proceeding through all its stages in the House of Lords, with a proper degree of consideration. Would there be time for proceeding regularly with it? Whatever disposition the House might feel to assist in the acceleration of a measure, by suspending the standing orders, where all the parties were agreed, it was not customary, where a private measure was opposed, to relax any of them.

Sir *N. Colthurst* said, he would be the last man to introduce a measure prejudicial to the city of Cork, or opposed to the interests of those whom he had the honour to represent; but he believed that a vast majority was favourable to the bill.

Mr. *Bennet* said, that he should, in the course of the evening, have to present a petition against the measure from Mr. Isaac Hewitt, a gentleman of great respectability in Cork: that petition contained an able statement of facts; and after a careful perusal of it, he felt satisfied, that the House would not deem it proper, or even decent, to proceed with the bill. The House divided—when there appeared—For the commitment (Sir N. Colthurst acting as teller) 0; Against it, 45. The bill was consequently lost.

CAMELFORD ELECTION COMMITTEE—MR. HALLETT REPRIMANDED.] William Hallett was brought to the bar, where he received the following reprimand from Mr. Speaker, and was discharged:

"William Hallett; the offence for which you stand committed to the custody of the serjeant at arms, is of the most grave and serious description, insulting to the dignity and authority of this House, and an endeavour, as far as in you lay, to impede the course of public justice.—You allege in your petition, in mitigation of your misconduct, that you were not served with the order for attendance; this statement is doubtless correct, but you were reported by a committee of this House, appointed to try the Camelford election petition, as having wilfully absconded with a view to avoid the service of such order.—Be not therefore misled yourself, and think not to mislead the House, by so vain and futile a distinction;—It is no extenuation of your misconduct, and no reparation to public justice, that you did not aggravate your offence by open disobedience. I will only add, that this is an attempt that never can succeed in attaining the object at which it aims;—the only result in which it can terminate, as it has terminated in your case, is, in the disgrace and punishment of the individual who is hardy enough to venture upon it.—In consideration, however, of the peculiar circumstances of this case, the present state of your ill health, your solemn promises of future amendment, and, above all, the pledge you have given, that you will be found ready to attend at any time when called upon, and with a deliberate determination to give full, and fair, and unreserved testimony, when examined,—under all these considerations, the House has determined to forbear any further punishment, and to release you from your present confinement. In obedience, therefore, to the commands of this House, I reprimand you, and have to inform you, that you are now discharged, upon payment of your fees."

DUKE OF KENT'S LOTTERY.] Mr. *Grenfell* observed, that in the votes, he read the following:—"Duke of Kent's lottery—petition for leave to present a petition for a bill—reported—leave given." He wished for some explanation as to the nature of the proposed lottery.

The *Chancellor of the Exchequer* was perfectly ready to state the whole transaction, as far as he was acquainted with it. An hon. member had some time since applied to him, to lay before the treasury a memorial from the duke of Kent, for a bill to enable him to dispose of a part of his property by lottery. It was then thought that the consent of the Crown was necessary, and the commands of the Prince Regent were therefore taken upon it. His royal highness referred the question to the lord Chancellor, the first lord of the Treasury, and the Chancellor of the Exchequer, who had considered the question, whether it would be expedient that any individual should be allowed so to dispose of his property to pay off debts or incumbrances, and they had determined that to recommend such a bill to parliament would be setting a dangerous precedent. They had therefore recommended that the royal leave, if it were necessary, should not be given. This information he had given to the hon. member who had offered the memorial; and it had been thought most consistent with delicacy to the illustrious personage concerned, that the memorial should be returned, and the whole proceeding considered a nullity. Since that time, a precedent had been found which warranted the conclusion that the consent and recommendation of the Crown was not necessary. A petition had accordingly been presented to the House, but his majesty's government had given no sanction to it.

Mr. *Grenfell* said, that government had acted in this affair as the country expected of them. A bill had, he understood, been prepared in consequence of the petition of last night, and he trusted the House would not allow it to pass without due examination.

## HOUSE OF COMMONS,

*Thursday, July 1.*

SIR H. PARNELL'S RESOLUTIONS RESPECTING THE RETRENCHMENT OF THE PUBLIC EXPENDITURE.] Sir Henry Parnell laid on the table of the House the following

### RESOLUTIONS CONCERNING THE RETRENCHMENT OF THE PUBLIC EXPENDITURE.

1. THAT the gross Receipt of the Ordinary Revenues of the United Kingdom, in the year 1818, was .......... 62,230,527*l.*

| | | £. | |
|---|---|---|---|
| Out of which there was paid, for Charges of Collection ........ | | 4,367,750 | Ib. |
| For Charges for managing the Expenditure of the same ...... | | 1,173,116 | |
| | | 5,540,866 | |
| viz.: | | | |
| To the Treasury ................................ | 103,139 | | Sess. Pa. No. 114. |
| the Bank ................................ | 277,228 | | An. Fin. Pa. No. 5. |
| the Civil Departments of the Navy ............ | 506,000 | | Estimates 1819. |
| Ditto .................. of the Army ............ | 150,228 | | Ib. |
| Ditto .................. of the Ordnance .......... | 82,891 | | Ib. |
| The Commissioners for auditing the Public Accounts | 53,630 | | An. Fin. Pa. No. 2. |
| | 1,173,116 | | |

An. Fin. Pap. No. 1.

Making a Sum of 5,540,866*l.*, paid out of the annual Public Income, for managing the Collection and Expenditure of the same.

2. That the gross Receipt of the Ordinary Revenues of the years 1818, 1810, and 1796, was collected at the following Rates per centum:—

| | Excise. | Customs. | Stamps. | Assessed Taxes. | Post Office. | Hackney Coaches. | Hawkers and Pedlars. |
|---|---|---|---|---|---|---|---|
| 1818 | £. s. d. | £. s. d. | £. s. d. | £. s. d. | £. s. d. | £. s. d. | £. s. d. |
| England... | 3 11 2 | 9 3 8 | *2 12 6 | 3 17 11 | 27 18 0 | 14 6 10 | 16 2 10 |
| Scotland... | 6 17 10 | 16 9 11 | | | | | |
| Ireland ... | 12 9 11 | 16 13 9 | 8 5 3 | 16 19 10 | 71 13 4 | — | — |
| 1810 | | | | | | | |
| England... | 3 0 5 | 5 19 0 | 2 13 0 | - - - | 31 0 0 | — | — |
| Scotland... | 7 11 8 | 6 14 3 | 4 10 10 | - - - | 15 9 0 | — | — |
| Ireland ... | 17 3 6 | 13 0 11 | 6 13 11 | - - - | 51 13 3 | — | — |
| 1796 | | | | | | | |
| England... | 4 2 10 | 6 0 11 | 4 5 7 | 4 6 1 | 28 2 11 | 8 11 0 | 35 9 3 |
| Scotland... | 7 18 4 | 11 8 7 | 7 10 2 | 5 18 0 | 13 12 11 | — | — |

An. Fin. Pa. No. 1. p. p. 9, 11, 26, 42.
*England and Scotland.

6 Rep. Com Expend. 1810, p. 151.

23 Rep. Com. Fin. 1797, p. 35.

3. That the low rate at which the English Excise Duties are collected, is not to be attributed to any facility in collecting them peculiarly belonging to this branch of the Revenue.

4. That there is this striking difference between the Excise Department and all other Departments, excepting the Post Office, that the whole patronage of this Department, with a few exceptions, is vested in the hands of the Commissioners.

7 Rep. Com. Fin. 1797, p. 31.

5. That in Ireland the whole patronage is vested in the hands of the Executive Government.

2 Rep. Com. In. and Expen. Irel. 1812, p. 90.

6. That nearly the whole of the patronage of all the other Departments in England and Scotland, is vested in the Crown, or in the Board of Treasury.

Customs 14 Rep. Com'rs Accts. p. 54.
Stamps 6 Rep. Com. Fin. 1797, p. 23.—Tax Office, ib. 8 Rep. p. 18.
Hackney Coaches and Pedlars, ib. 10 and 11. Rep. p. 10 and 11.

7. That it appears, from various Reports of Committees of this House, and of Commissioners who have been appointed by Parliament to inquire into the Public Income, that the established system of keeping the Accounts of the Public Money in the Departments employed in collecting it, is intricate and perplexed; and that if the systematic simplicity and uniformity of keeping Accounts, which is practised in Trade, were substituted in its place, the Accounts of the Public Money might be kept and rendered as speedily and as correct as Mercantile Accounts.

Evidence of Accountant General of Stamps, 5 Rep. 2nd part, 1810, p. 110.

8. That it appears, from the same Reports, that the office rules for transacting Public Business are attended with great intricacy and perplexity, particularly in the Customs, whence no less than twelve tedious operations are required for the discharge of a single cargo, and where a

13 Rep. Comm'rs Accts. p. 44.

great part of the time of the Officers is occupied in useless entries and computations.

4 Rep. Com. Fin. 1797, p. 26.

9. That it appears, from the same Reports, "on the evidence of persons having long and extensive experience in the commercial and technical details of the Revenue Laws, that a consolidation and simplification of them would enable the Officer to execute his duty with more promptitude and safety, and the Merchant and Tradesman to know better how to transact their concerns with the Revenue."

10. That the ordinary Revenue of the United Kingdom is collected by three Boards of Customs, three Boards of Excise, two Boards of Stamps, one Board of Taxes, one Board of Hawkers and Pedlars and Hackney Coaches, and two Post Offices; consisting of 64 Commissioners and four Post-Masters General.

11. That if the principle on which the Officers of the English Excise are appointed, viz. the exclusion of Treasury influence, was made general in that Department, and extended to all other Departments; such a Reform would tend very materially to diminish the Charges of Collection.

12. That if the simple Mercantile system of Accounts was established in all the Public Departments; and if the rules of Office, and the regulations of the Revenue Laws, were simplified, such a Reform would tend materially to diminish the charges of Collection.

13. That if the Salaries of all the Revenue Officers, and the Poundage Fees of the Receivers General, and of the Stamp Distributors, were revised; if the hours of attendance were increased; and if the Incidental and Law Expenses belonging to the Public Departments were properly controlled and limited, such a Reform would tend materially to diminish the charges of Collection.

14. That if the present Boards for collecting the Revenue were consolidated, and brought together into the Metropolis, so as to act immediately under the inspection of the Treasury, and subject to the constant control of Parliament, such a Reform would tend materially to diminish the charges of Collection.

8 Rep. Com. Fin. 1797, p. 5.

15. That the "intricacies and cross-payments in the nature of Drawbacks, Allowances, and Bounties;" the excessive Duties on Tea, and certain other articles, by encouraging smuggling; and the laws of Navigation, and for prohibiting Foreign Manufactures, add considerably to the charges of Collection.

16. That the Expense of the Office of Treasury was,

15 Rep. Com. Fin. 1797, p. 6.

| | £. |
|---|---|
| In the year 1796 | 40,764 |
| In the year 1818 | 103,139 |

Sess. Pa. No. 114, p. 3.

Of which latter sum, 13,410*l.* was for the Commissariat Branch, and 5,327*l.* for the Irish Branch; both of which have been added to the Treasury Department since the year 1796.

17. That the whole Expense incurred by the Bank of England in managing the Public Debt, was estimated by the Committee on the Public Expenditure, in the year 1807, at 119,500*l.*; that it may now be estimated at 150,000*l.*; which sum being deducted from the sum of 277,228*l.*, paid to the Bank in the year 1818, will leave a nett annual profit to them, of 127,228*l*, for managing the Public Debt.

18. That the Expense of the Admiralty Office was,

17 Rep. Com. Fin. 1797, p. 6.
Estimates 1819.

| | £. |
|---|---|
| In the year 1796, being the third year of War | 52,666 |
| In the year 1819, being the fourth year of Peace, the sum voted is | 59,332 |

17 Rep. Com. Fin. 1797, p. 22.
Estimates 1819.

| | |
|---|---|
| 19. That the Establishment of the Navy Pay Office was fixed by an Order of Council, dated 9th October, 1789, exclusive of the Salary to the Treasurer of the Navy; at | 9,128 |
| That the sum voted for Salaries and Contingencies for this Office in the year 1819, is | 37,839 |

17 Rep. Com. Fin. 1797, p. 22.
Estimates 1819.

20. That the Establishment of the Navy Office amounted,

| | |
|---|---|
| In the year 1796, to | 40,561 |
| In the year 1819, the sum voted is | 77,189 |

Ib. vol. 68, p. 689.
Estimates 1819.

21. That the Sum voted for Dock Yards at Home, was

| | |
|---|---|
| In the year 1813, being the tenth year of war | 212,142 |
| In the year 1819, being the fourth year of peace | 225,000 |

22. That the Sum voted for the Establishment of the Victualling Office, in the year 1795, was …… 42,405 Com. Journ. vol. 50, p. 78.
In the year 1819, it is …… 47,000 Estimates 1819.

23. That the number of Seamen voted in the year 1795, was 100,000 Com. Journ. vol. 50, p. 31.
and in the year 1819 …… 20,000 Estimates 1819.

24. That the Sum voted for the Civil Departments of the Navy, was in the year 1792, being the last year of Peace …… 125,109 Com. Journ. vol. 47, p. 116.
In the year 1813, being the tenth year of war …… 572,373 Ib. vol. 68, p. 689.
In the year 1819 it is, being the fourth year of peace …… 506,000 Estimates 1819.

25. That the Salaries in the Commander in Chief's Office amounted to, in the year 1793 (exclusive of any Salary to the Commander in Chief) …… 813 8 Rep. Com. Mil. Inq. p. 207.

In the year 1819, the Sum voted for Salaries is …… 7,424
To which is to be added, for the Commander in Chief …… 5,999
Four Aides de Camp …… 693
Contingencies …… 724

Making in the whole, for the year 1819 …… 14,840 2 Rep. Com. Fin. 1819, p. 55.

26. That the Establishment of the Office of Secretary at War, amounted, in the year 1796, to …… 51,290 19 Rep. Com. Fin. p. 191.
In the year 1819, the Sum voted is …… 55,290

That notwithstanding the great establishment of this Office, the number of Military Accounts in arrear is so large as to incur an annual expense of …… 18,121 Estimates 1819, p. 22.

27. That the perplexed nature of the Regimental Accounts, arising from the several Stoppages and Allowances, is productive of great delay and trouble, and occasions a great part of the expense incurred in the present system of examining the Accounts at the War Office. Evid. Mr. Greenwood, 19. Rep. Com. Fin. 1797, p. 29. 6 Rep. Mil. Inq. p. 333.

28. That the Establishment of the Pay Office amounted,
In the year 1796, to …… 20,729 19 Rep. Com. Fin. 1797, p. 181.
In the year 1819, the Sum voted is …… 30,506 Estimates 1819, p. 22.

29. That the Establishment of the Office of Comptrollers of Army Accounts, amounted, in the year 1797, to …… 4,470 19 Rep. Com. Fin. 1797, p. 33.
in the year 1819, the Sum voted is …… 12,458 Estimates 1819, p. 22.

30. That the Civil Establishments of the Ordnance amounted,
In the year 1796, to …… 51,618 21 Rep. Com. Fin. 1797, p. 64.
In the year 1819, the Sum voted is …… 82,891 Estimates 1819.

31. That if the Offices of Paymaster of the Army, Treasurer of the Navy, and Treasurer of the Ordnance, were consolidated into one Board, to transact the business of a Bank for the whole Military Expenditure; and if the Civil part of the Office of the Commander in Chief, the Office of Secretary of War, and the Office of Comptrollers of Army Accounts, were consolidated into one Board, to examine and control all Army Accounts; such a Reform would tend materially to diminish the charges for these Establishments.

32. That "of late years a system of progressive increase of Salaries has been extended to most of the Public Offices; but that in the Ordnance Department, this practice has been carried to the greatest length, and applied to messengers and others, not entitled to the benefit of increase of salaries in any other Departments." 6 Rep. Com. Fin. 1817, p. 187.

33. That "no sufficient control has been exerted over the additions which have been made to the Expenditure in all the Public Departments; by Augmentation of Salaries, by official Incidents, by Allowances, by Superannuations, and above all, by Compensations." 6 Rep. Com. Expen. 1810, p. 152.

34. That the Commissioners of the Treasury are constitutionally responsible for all improper accumulations of charges in the Public Expenditure; and, if they are not already able to prevent them, "they should 3 Rep. Com. Expen. 1810, p. 122.

be armed with new powers to control with effect all the Public Departments."

35. That the progressive increase of Salaries has accompanied the change in the value of Money, which began in the year 1797; and, therefore, there is reason to infer, that a considerable reduction of expense might be obtained by a proper revision of all Salaries, and by adjusting them to the new value of the Currency.

36. That there is a total want of "that simplicity and uniformity in the Office Accounts of the Public Expenses, which is so essential to regularity and dispatch, and which ought to characterize a great system of Public Accounts.

5 Rep. Com. Expen. 1810, p. 23.

37. That the Accounts of the Expenditure of the Army, Navy, and Ordnance, in the Annual Finance Accounts, being Accounts of Payments on Imprest, and not of the actual Expenditure for these Services, Parliament has no means of ascertaining how far the actual Expenditure tallies with the previous Estimate of it.

38. That the only Accounts of the actual Expenditure for these services are those which are laid before the Commissioners for auditing the Public Accounts; but as "the examination of these Accounts is delayed till a long period after the services are performed," they afford no practical assistance to Parliament to control the Public Expenditure.

39. That notwithstanding the positive enactments of various laws, and the great expense incurred by the establishment of the Commissioners for auditing the Public Accounts, the examination of them is greatly in arrear, and the "investigation of abuses and irregularities, intended by the new system of audit in 1806, has failed of producing any important practical consequence;" a circumstance which is chiefly to be attributed "to the complete authority which the Treasury exercises with regard to all articles of Account, whether of allowance or surcharge."

5 Rep. Com. Expen. 1810, p. 30.

40. That this arrear may also be attributed in some degree to the intricacy occasioned by the practice of passing the Public Accounts, according to the course of the Exchequer, through a series of Offices in Exchequer form; "a proceeding altogether devoid of any public utility;" and which was declared to be so, and "pointedly reprobated," thirty-nine years ago, by the Commissioners of Accounts.

5 Rep. Com. Expen. 1810, p. 17.

41. That "although the Exchequer is an office of the highest antiquity, and entitled to the utmost respect, the change which has taken place in the manners, the customs, and above all, in the Finances of this Nation, since the origin of this Office, renders new regulations necessary, with a view to an economical Reform.

6 Rep. Com'rs Acc'ts, p. 30.

42. That the Expenditure of so large a sum annually as 387,111*l.* in Bounties, is attended with no public good, and is inconsistent with every sound principle of political economy.

43. That the advance of the Civil List, from 900,000*l.* to 1,030,000*l.* has been made from time to time, according as the value of money has become of late years more and more depreciated;* and that therefore there will be just cause for reducing it to its former amount, if the value of money shall again rise to its original standard.

* Mr. Pitt's Speech, July 2, 1804.

44. That the Establishment of the Offices of the three Secretaries of State amounted in the years

15 Rep. Com. Fin. 1797, pp. 55, 57, 58.

Sess. Pa. No. 114, 1819.

| | 1796. | 1818. |
|---|---|---|
| For the Home Department, to | £. 17,792 | £. 31,973 |
| For the Foreign Ditto, to | 14,167 | 63,056 |
| For the War Ditto, to | 7,865 | 27,851 |
| | 39,824 | 122,880 |

45. That the Civil Government of Scotland amounted,

30 Rep. Com. Fin. 1797, p. 97

Ib.

An. Fin. Pa. No. 5, 1818.

| | |
|---|---|
| In the year 1761, to | £. 52,830 |
| In the year 1797, to | 84,167 |
| In the year 1818, to | 129,627 |

46. That the annual Expense of the Office of Lord Lieutenant, and the separate Executive Government of Ireland may be estimated at 100,000*l.**

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7 Rep. Com. Expen. 1810, p. 163.
5 and 6 Rep. Com'rs Acc'ts, Ireland, 1815, 1816.

| * Expenditure in four years, to 1810, on Dublin Castle and Phœnix Park | £. 117,052 |
|---|---|
| Ditto in the year 1815 | 43,702 |
| Ditto 1816 | 16,113 |

47. That it appears to this House, from the Statements contained in the foregoing Resolutions, that a very important Reduction may be made in the Public Expenditure, without any detriment to the Public Service; and that this House will, early in the next Session of Parliament, take the same into its most serious consideration.

The first Resolution being put, the debate thereupon was adjourned till Monday.

RESOLUTIONS RESPECTING PUBLIC BUILDINGS.] Mr. *Bankes* rose to submit his resolutions on the mode of conducting Public Works. He observed, that under the present system, when any building of more than ordinary extent and importance was erected, it was placed entirely under the superintendence of the surveyor-general of public works. It often happened that the person filling this office, though well qualified to conduct the ordinary business of repairs, might be deficient in architectural knowledge. To secure to the public the advantages of the best architectural skill, and to guard, at the same time, against the improvident practice of paying architects by a percentage on the sums expended, he submitted the following Resolutions:—1. " That, wherever it becomes necessary to erect any great and extensive Building at the Public expense, except such Buildings as are now placed under the direction and control of the surveyor-general of his majesty's works, &c. the said surveyor-general of his majesty's works, with the approbation of the lords of the treasury, shall, in such manner as may appear most expedient, invite a competition of architects to prepare and submit to him designs and plans accommodated to the purposes of such Buildings. 2. That, when the plan and elevation for any such Buildings shall have been approved, the work should be performed by contract, under public advertisement, care being taken, under the direction of the said surveyor-general, that there shall be a constant and effectual superintendence of such architect as he shall appoint, to provide the necessary working drawings, &c. and to secure the execution of the whole, in strict conformity to the terms and specification agreed upon. 3. That, for such superintendence, &c. an adequate, but moderate and fixed compensation should be assigned; and that the usual mode of paying for such superintendence, by a percentage upon the money laid out, appears to be ill calculated for checking and controlling expense, inasmuch as it tends to afford to the surveyor or superintendent a direct interest in augmenting, instead of restricting, the sum to be disbursed."

The Resolutions were agreed to.

MR. BEDINGFIELD'S PETITION.] Lord *Morpeth* said, he had a petition to present to the House from Mr. Bedingfield, a gentleman of an ancient and respectable family, but who rested his claim to their attention on merits exclusively his own. It would be in the recollection of the House, that, in 1795, there was considerable discontent and dissatisfaction in the country. On October the 31st, in that year, his majesty, on his way to parliament, was treated in a manner which no one could reflect on without regret. He referred to the proclamation which was issued at the time for a description of the conduct of the mob, which was described to be in open violation of the laws, and to the imminent danger of the king's person. The outrages did not end here, for, after his majesty had returned to St. James's, and was proceeding from thence to Buckingham-house, in his private carriage, he was again assailed by the mob. The king was assailed with opprobrious language; and the populace, armed with bludgeons, were about to force open the door of the carriage, when they were prevented by the timely interference of Mr. Bedingfield, who drove the crowd from the door of the carriage, and prevented them from approaching it till a detachment of the Guards arrived, who rescued his majesty, and conveyed him to Buckingham-house. This service was acknowledged by his majesty at the time in a few words, but in an emphatic manner at the next levee, where, speaking of this gentleman, he said, " He came just in time." If this gentleman had been possessed of an ample fortune, these words would have been a sufficient reward; but as he was in different circumstances, it was not to be wondered at, that he should desire a more ample remuneration. He was concerned to state, that the petitioner had applied in more than one instance, and to more than one quarter, but without success; for, among the names which graced or encumbered the pension list, there surely was not to be found one which had a clearer claim on the government. The petitioner asked for no distinct pecuniary reward (for to that the consent of the Crown would be necessary, which had been refused), but he submitted his case to the liberality of parliament, hoping at least the petition would be allowed to remain on the Journals, a memorial of a service which was rendered at least with promptitude, resolution, and zeal.

The *Chancellor of the Exchequer* thought it strange, that, after a lapse of 24 years, the petitioner should deem it necessary to throw himself on parliament. He knew nothing of the facts of the case; but he could not conceive that the ministers of that day would have neglected their duty by not inquiring into the merits of the petitioner.

Mr. Serjeant *Onslow* said, that the length of time which had elapsed should be no bar to the claim of the petitioner, whose meritorious conduct had been universally acknowledged in 1795.

Mr. *Barham* said, that if the time which had elapsed was the only obstacle in the way of the petition, the House might recollect that the other night they had voted 6,000*l.* to general Boyd for a service performed at a period more distant than 1795.

Mr. *C. Hervey* said, he had known the petitioner for a number of years, and was sure that he was incapable of stating as fact that which he did not believe to be true.

Ordered to lie on the table.

REFORM OF PARLIAMENT—PETITION FROM LIVERPOOL.] The Marquis of *Tavistock* presented a petition from Liverpool, praying for Parliamentary Reform, signed by upwards of 1,800 respectable householders, who complained that they were not represented in parliament. He did not know the nature of the motion which it was the intention of an hon. baronet to propose that evening; but he regretted to say, that he had lately had but too many opportunities of witnessing the dissentions which prevailed among those who advocated the cause of parliamentary reform. Some were moderate reformers, while others again were radical reformers, and wished nothing less than such reform as would be totally destructive of the constitution. The reform which appeared to him to be the best, was that which would be moderate in the changes which it might introduce in our existing institutions, and radical in the correction of the abuses which had gradually grown up under them. He heartily disapproved of all those wild and impracticable theories which had lately been broached. He did not see that any specific plan of reform could be proposed at this moment, with any chance of success. Such had been the conduct of those who called themselves the people of England, taking up one plan one day and laying it down the next when it suited them, running down every plan which they thought to be practicable, and vilifying all those who, in their projects of reform were one step short of themselves, that the greatest distrust and disunion had in consequence been created among the friends of reform; and therefore it was his opinion that there were greater difficulties in the way of this question at the present moment than ever before existed. He begged pardon of the House; but it was the very importance of this cause to him which made him the more angry with those who injured it. He remained unshaken in his opinion on this subject, by all that he had seen since he had the honour to have a seat in parliament; and feeling, as he did, so strong an attachment to that cause, he could not help expressing his hope that the friends of reform would see the necessity of agreeing in a plan of moderate reform consistent with the principles of the constitution, and that they would discountenance those wild and visionary theories of reform which were so injurious to the progress of the cause.

Ordered to lie on the table.

REFORM OF PARLIAMENT.] Sir *Francis Burdett* rose and said:—In consequence of the notice I gave the other day, I now rise to bring once more under the consideration of the House, the state of the representation of the people in parliament. With respect to what has fallen from the noble marquis, who has just presented the petition from Liverpool, and who took the opportunity of inveigh-ing so loudly against what he called wild and visionary plans of reform, I am at a loss what to reply: for as the noble lord neither tells us, what his principles of reform are, nor to what extent he is ready to support any plan of reform, nor what it is which he considers wild and visionary, nor who the persons are, who support these wild and visionary plans, it is impossible to make any reply to the observations in which the noble lord has indulged himself. But in respect to that which was observed by the noble lord upon the disunion which he states to have been created amongst the friends of reform, by the conduct of some, I can only say, that I am not conscious of having ever acted in such a manner, as to justify any man in charging me with being one of those, whose conduct is calculated to disunite the friends of that measure. Whatever might be the difference of opinion on this subject, to whatever extent small or great, gentlemen were willing to push a measure of this nature, I have always been ready to assist in the work, and I acknowledge that I am unable to entertain any of those apprehensions which seemed to have disturbed the minds of many on account of the principle being pursued to the utmost extent, to which it is capable of being carried. The absence of all danger on this account, having, as I think, been clearly and irrefragably demonstrated, I cannot feel any apprehension from pursuing too far the ancient and recognized common law maxim, the corner-stone of the edifice of our liberty:—"That the people of England have a property in their own goods, which are not to be taken from them without their own consent;" in other words, that they are not constitutionally liable to be taxed without their own consent, expressed by a full, free, and fair representation in parliament. This is my principle, upon this I stand as upon a rock, from which I think it impossible to be removed.

Before I proceed farther, it may not be amiss to state my reasons for not bringing on the present motion at an earlier period of the session. I was unwilling that those gentlemen who are called the Opposition, should suppose me desirous of thwarting any of their exertions, or should have it in their power to accuse me of having impeded their progress, or contributed in any way to render inefficient their attempts to remedy those evils of which they so loudly complain, and in which they might have flattered themselves they would have succeeded, but for my interference; and because I wished both them, and the public, to be convinced from experience, how vain and futile were any efforts and all expectations formed of any important redress of grievances from a new parliament constituted like the old.—Much was said about the infusion of independence into the new parliament: the elections were said to have proved, that the present system of ministers could not be continued—that the ministers must relax in their career of corruption, and adopt a plan of economy and retrenchment, or resign to those who would: hopes were excited both within, and out of this House, which nothing but the conduct of this parliament and the evidence of facts could have dispelled: nothing short of this could have induced persons to abandon their pleasing expectations, and to concur with me in believing that any effectual remedy for our disease, any material amelioration in the condition of the people, could only be rationally expected from a radical reform.—Had I stirred this question sooner it might have been attributed to me, that I had thrown the apple of discord amongst that party denominating themselves Whigs, maliciously and advisedly, with a view to defeat all those rational and moderate plans of reform, as they are falsely called, of which they are the champions; every failure might have been attributed to me, and I might have been exposed to accusation on account not only of what they had left undone, but also of what the ministers had done; not only might have been attributed to me the failure of schemes of economy and retrenchment, but likewise the imposition of the three millions of new taxes on the public.

Now, therefore, that all attempts at remedying minor abuses have failed, and the utter hopelessness and folly of any reliance placed on what is called a new parliament, has been made apparent, knowing the anxiety of the public mind at the present moment, seeing the dissatisfaction every where expressed by the people, from the public burthens and distress; and, the cause of all, the want of a fair representation of the people in parliament; I feel it a duty that I owe to the public, to bring forward this question even at this late period of the session. I can entertain no expectation of the motion being followed by any measure immediately to be adopted by the House; but that the principle, if adopted, would have a practical and beneficial effect out of the House, and prove the best means for preserving the tranquillity of the country, I entertain no doubt; and I am anxious that the country should be tranquillized, and that the people should give no pretence to the noble lord at the head of administration, for again proposing to this borough-monger parliament, the suspension of the Habeas Corpus act. I wish to interrupt, or at least to prevent from being established, those annual suspensions of the liberty of the subject, to which it seems this House has no objection, whatever it may have to annual parliaments; that ministers may have no pretence to ask, nor parliament to grant, the exercise of a despotism over the people, inconsistent with the laws and constitution of the country.

The motion I mean to propose will not lay gentlemen under any obligation to support general suffrage, or annual parliaments; I do not wish even to put them into the dilemma of stating explicitly, the extent to which they are willing to go:—all I request of them is, an engagement to satisfy the public mind, that early in the next session, some remedy may be expected for an evil of such magnitude, as that of the people not being represented in the Commons House of Parliament. I do trust that all those gentlemen who have talked so much of grievances during this session, will support a resolution for taking early next session into their consideration this master grievance—this cause of all other grievances, which, without its removal, never can be redressed:—and I do trust, that if I introduce the question to the House early in the next session of parliament, I shall not then be considered as guilty of any hostility, or any impropriety of conduct towards the gentlemen more immediately around me; or, as a stumbling block in their way, depriving them of opportunities of promoting the public interests, by means of the system as it at present exists. It is not necessary for me, nor would it be proper now to enter into any details, nor to recapitulate the specific plans and principles which I have formerly proposed, and still abide by. With respect to wild and visionary views and plans lately alluded to, I trust the noble marquis will be contented to take my own views from my own exposition of them. I have proposed two different plans for a reform of parliament, differing in degree, but both far from wild and visionary. In 1809, I submitted a measure on the subject, and stated it as my opinion then, that to require to vote for a member to serve in parliament, every person who was subject to direct taxation in support of the poor, the church, and the state, would be sufficient for the security of the liberty and property of the subject.

Of that opinion I still remain, though I am also convinced, that according to the true principles of the English constitution, every man is entitled to participate in the power of making those laws by which he is governed—to some share in the appointment of those who dispose of his liberty, his property, and his life. If these are termed Jacobinical principles, still I maintain them to be the principles of the English constitution; they are the doctrines laid down by all our constitutional authorities, not only by Locke, and the writers at, and after the Revolution, but they are also the doctrines laid down by our own lawyers in our own times; and by those not at all likely from their circumstances to advance doctrines of a wild and visionary nature. Mr. Justice Blackstone in his Commentaries on the Laws of England, maintains, and truly maintains, that, by the principles of the English constitution, every man is entitled to vote at elections for members of parliament. This is the general principle, then follow his exceptions, that is, the persons excluded from the exercise of this right; and the special reasons on account of which they are excluded. This general principle, it will be recollected, is laid down by a great crown lawyer—one in his day not considered as the advocate of liberty, but a time-serving tool of power; and if this principle is now branded as Jacobinical, it can only be accounted for from the lowered tone of the public mind, and the degraded spirit of the present times. A doctrine so lately laid down by a lawyer and servant of the Crown, is, it seems, considered in the present day, too bold to be entertained by any but wild and visionary, and mischievous persons.

Judge Blackstone says explicitly. " The true reason of requiring any qualifications with regard to property in voters, is, to exclude such persons as are in so mean a

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situation, that they are esteemed to have no will of their own." Now, however, it seems the prevailing notion in this House (clearly deduced at least from its practice) is, that persons who are in so mean a situation, that they are esteemed to have no will of their own, not only ought not to be excluded from voting on that account, but ought to return a large majority of this House; for it is notorious, that the majority of its members are returned by persons of this very description, by persons who have no property whatever, who are kept off the poor rates for this only purpose, by those whose instruments for this pernicious end they are. Thus in practice we have the exception made the rule—the rule denied—and the majority of the members of this House, returned by a small number of patrons, whose nominees they are; which patrons possess the means of influencing persons of this description, who are thus enabled to exercise the elective franchise, the birthright of every Englishman, but who themselves have in effect no will of their own. Surely those may with great justice be called wild and visionary, who would exclude from the elective franchise, all the intelligence, the independence, and property of the country into the bargain. I say, the persons excluded from voting at elections, are the persons of intelligence and property; and that the majority of this House are returned in spite of the property and intelligence, by persons who have neither property, nor will of their own. It cannot be too often repeated, nor should it be ever lost sight of, that the returns to this House of a majority are made by that very description of persons, who Mr. Justice Blackstone says, ought alone to be excluded; because, says he, "If those persons had votes, they would be tempted to dispose of them under some undue influence or other." Will any gentleman contend that such undue influence is not exercised at present; out of this House, any one who pretended to doubt it would be either laughed at as an egregious fool, or as an odious hypocrite detested.

After the disclosures, too, which have been made during this session, respecting the corruption of the boroughs, and the widely spreading contamination of that corruption throughout the country, and the impression made on the public mind by the defence of it, on the ground of its having so long and so universally prevailed, and which corruption is but the effect of that undue influence which Mr. Justice Blackstone says, "would give a great, an artful, or a wealthy man a greater share in elections than is consistent with general liberty," it is impossible that the public mind should long endure the evil without some attempt at an efficient remedy. Every word in this sentence is a libel on the present state of the House. We all know that a great majority of this House are the nominees of the artful and wealthy men here described:—we know how the patrons in boroughs act, although the common law says, "Fiant electiones rite et liberè:"—we know, that in affirmance of this maxim of common law, peers are by statute expressly excluded from interfering in the election of members to parliament; we know also, that in conformity to both common and statute law, a resolution is passed by this House at the commencement of every session, declaring it to be a high breach of the privileges of this House, for any peer to interfere with the election of its members.

In the face, then, of these laws of the land, and of these resolutions of the House, it is well known that peers do cause to be returned, and even nominate its members. Do we not know, that a majority of this House chiefly consists of the nominees of these very peers, whilst almost every member of the community, who, according to Blackstone ought by law to return its members, stands excluded? "If it were probable that every man would give his vote freely, and without influence of any kind, then, upon the true theory and general principle of liberty, every member of the community," (says justice Blackstone—these are his words) "however poor, should have a vote in electing those delegates to whose charge is committed the disposal of his property, his liberty, and his life."—So say I too, and with this addition—that nothing would be more easy than to provide the means of securing every man (whatever might be his situation) against undue influence of any kind. I add, moreover, that neither should the rich be excluded. Now then, I will ask, if, as Mr. Justice Blackstone says, every member, however poor, should have a vote in electing those to whose charge is committed the disposal of his property, his liberty, and his life, is not Mr. Justice Blackstone an advocate for Universal Suffrage? Is he not one of those wild and visionary persons who think all men have rights?—there can be no doubt that he maintains the principle to its fullest extent;—and I think there can be no doubt that in law and reason, the people of England have that right according to the constitution; that their right is as good as the right of the king to his crown; and that both are held by the same tenure—the constitution of the country. Such, then, is the theory of the constitution, according to this learned commentator: "Not," says he, "that it is so perfect in the practice; for," says he, "if any alteration (what an admission for a solicitor general!) might be wished or suggested in the present frame of parliaments, it should be in favour of a more complete representation of the people."

It is, indeed, impossible to contemplate the whole system of our laws, the maxims of the common law, and the true principles of liberty, without, at the same time, perceiving, that the true principles of the English constitution are the same. Election is the soul of both, and the people of England in former times, not only elected members to serve in parliament, but also a great number of other constitutional officers—sheriffs, magistrates, and constables; leaders in war, and conservators of peace;—so far, therefore, from being wild, and visionary, and exorbitant in their demands for the restoration of their rights—the people are moderate and wise:—their aims are noble—their first wish, even in the midst of distress is to be free—and yet so modest are they in their demands, wild and visionary as they are called—that they demand only to be restored to that portion of their rights which is necessary for the security of their property and of their persons,—the appointment of those men, who are to have the disposal of the hard-earned fruits of their industry and labour, and in whom they can confide for the honest application of them to the purposes of the state:—to have some share in the appointment of those who not only raise taxes from their labour, but who also exercise the power of taking the people themselves—using their limbs and shedding their blood—whenever the cause of the country demands the sacrifice. Is it, then, asking too much for men who are liable to be torn from their families, and exposed to all risks and dangers—that they should have some share in the election of the representatives, who have the power of saying when and how these services shall be demanded? That they should, appears to me both reasonable and just.

By many modern political writers and speakers on political subjects, it has been taken for granted, that the people of this country were never in so advanced a state of prosperity and freedom as now. This has been an erroneous induction from the antiquated language of former times; for it appears from the most ancient and authentic records, that the people of this country did enjoy a state of ease, prosperity, and freedom, which form but a melancholy contrast to their present condition:—in proof of this, I may be allowed to read one extract from lord chancellor Fortescue, from his excellent treatise in praise of the laws of England. After having given a description of the comparatively wretched condition of the people of France, and which he traces to its true cause—the despotic nature of the French government; with the honest exultation of an English lawyer (for strange as it may now appear—in former days, it is no less true than strange, that English lawyers were friends to English liberty) he proceeds triumphantly to state the very different condition of the people of this country—and which he justly attributes to the excellence of its laws and constitution. "Here (says he) every man's property is his own . . . . . . Neither doth the king there (speaking of England) either by himself or his servants or officers, levy upon his subjects talliages, subsidies, or any other burthens, nor alter their laws, nor make new laws without the express consent and agreement of his whole realm in his parliament." The Latin is—"Sine concessione, vel assensû totius regni sui, in parliamento suo expresso."—"Wherefore every inhabitant of that realm useth and enjoyeth at his pleasure all the fruits that his land or cattle beareth; and hereby it cometh to pass, that the men of this land are rich, having abundance of gold and silver, and other things necessary for the maintenance of man's life; they drink no water, unless it be so that some for devotion, and upon a zeal of penance, do abstain from other drink; they eat plentifully of all kinds of flesh and fish; they wear fine woollen cloth in all their apparel; they have also abundance of bed coverings in their houses, and of other woollen stuff. They have great store of all hus-selments and implements of household; they are plentifully furnished with all implements of husbandry, and all other things that are requisite to the accomplishment of a quiet and wealthy life, according to their estates and degrees. Neither are they sued in the law, only before ordinary judges, where by the laws of the land they are justly entreated; neither are they arrested and impleaded for their moveables or possessions, or arraigned of any offence criminal, be it never so great and outrageous, but after the laws of the land, and before the judges aforesaid; and these are the fruits which government, politic and regal conjoined, do bear and bring forth." And so goes he on stating many advantages enjoyed at that time by the people of England.

Now, I say, if a comparison were at this day drawn between the people of England, and the people of that country, whom chancellor Fortescue thought so wretched and miserable by the comparison, I am greatly afraid, from all I have been able to learn from well-informed persons, acquainted with the situation of the people of that country,—it would appear, that the situation of the two countries was now completely reversed. Of the unhappy condition of this country no one can doubt, who pays the least attention to what is passing immediately before his eyes. It is not this nor that particular class of persons, for all state themselves to be under a severity of pressure they are no longer able to bear. Do we not see numerous bodies of men in every part of the country, all stating for themselves, with a strange and unaccountable indifference or ignorance of the condition of others, the dreadful distresses under which they labour, and their conviction that it is the intolerable burthen of taxes imposed on them, which is the cause of that of which they complain? That such is the state of the country no one can doubt, notwithstanding the assertions of the noble lord opposite respecting its prosperous state, and who appears as uninformed of its real condition as any mortal can possibly be. But indeed, how should the noble lord know any thing of the true state of the country? he lives perpetually in London, or its vicinity, and has little opportunity, therefore, of acquiring any knowledge from his own observation;—he cannot know the state of the nation; and when he meets this House, he finds few individuals here willing to disturb him in his happy reveries.

At the commencement of the present session, the noble lord dreamed that the agriculture, manufactures, and commerce of the country were in the most satisfactory state, and had recovered from that temporary pressure, which he had admitted it had undergone, in consequence of the transition from war to peace; and though this temporary pressure and long transition had lasted now five years, the noble lord was led from every inquiry to believe, at the commencement of the session, that misery was at an end, and that every thing wore the happy aspect of abundance and content. I cannot but suppose these to have been the real sentiments of the noble lord, because he put this language into the speech from the throne; but I will say, that if the noble lord believed this, he was the only person in the country who did: at least I never conversed with any gentleman from the country, either then or since, whose opinion was not the very reverse.—Your manufacturers come forward and state to you, how impossible it is for them to continue under the present weight of taxation;—that their workmen, notwithstanding unremitting toil to the almost extinction of life, are still unable to procure a pittance sufficient for the maintenance of the most wretched existence; you have petitions from the clothiers of Yorkshire, which state to you that it is impossible for them to continue their business, unless they are protected in a monopoly at home, and are freed from all duties on importation from abroad. The farmers, on the contrary, petition, and tell you that it is quite impossible for them to pursue agriculture, without the imposition of duties on foreign wool, and still heavier duties on corn, sufficient to secure to them the home market, and to put an end to a competition destructive to them, and impossible for them to maintain even in their own market with the untithed, and comparatively untaxed corn of France.—The manufacturer says, if you do this, you ruin for ever the commerce and manufactures of the country. On the other hand, the farmer says, if you do not do this, I am undone; for without it it is impossible for me to come into market in competition with the farmer of France on terms compatible with the expense of production.—The merchant declares, that if the Bank shall narrow its discounts, it will ruin trade; and the ministers reply, that if they permit the Bank to continue to inundate the country with its paper circulation, the nation is absolutely undone. Whilst the Bank says, that until the government first pays the monstrous debt it has contracted with the Bank, they cannot pay in cash.

Thus the farmer, the merchant, and the manufacturer are all telling us their distress is more than they can bear, each taking a contracted view of his own particular interest,—none comprehending the interest of the whole, and each exclaiming for God's sake relieve me, and cast the burthen on the shoulder of my neighbour, without reflecting that his neighbour is already crushed with his own share of the burthen, and absurdly crying out for the same sort of relief; and thus that burthen which is too great for all together, each supposes the other is able to sustain. The truth is, taxation is far beyond what the country can bear, and to relieve it is impossible, without having recourse to reform; and, I have no hesitation to tell the House of Commons, and particularly those gentlemen who denominate themselves Whigs, and who have so long called aloud for retrenchment and economy, who demand, that expenditure should be lowered without the abandonment of the present system—that is, without a reform in the representation, their object cannot be attained:—that under the present system, it is not in the power of ministers, nor would it be in the power of the Whigs, were they ministers, materially to retrench expenditure, even if they were so disposed. The profusion and expenditure complained of, is indispensably necessary to carry on the government in the present state of the representation—what we call corruption and unnecessary expenditure, is that which Mr. Arthur Young, at the commencement of the last war, very significantly called the oil for the machine; and it must be confessed, a great quantity of oil is requisite to keep in action a machine, the motion of which is opposed by so much friction, arising from its repugnance to the interests and feelings of the people:—the country will therefore always be called on for taxes necessary to support the present system, and necessarily so, until a reform takes place in the House of Commons; and, until this does take place, aggravation, and not alleviation, is what wise men will lay their accounts with.

It has been said, that I entertain wild and visionary notions; but what, I ask, can be more wild and visionary, than to look for effects without causes, to expect the present system to be carried on without the means of corruption, which are requisite for the purpose. It is not merely sufficient for this purpose that taxes should be levied—but also, that great numbers of individuals should be employed in their collection. The number of persons so employed, is as much an object with the government, as the money brought into the exchequer. With a reformed parliament, all this indeed might be dispensed with, and taxes collected as in ancient times, free from expense, by the sheriff; every parish might collect its own taxes, and transmit them either to the sheriff, or to the exchequer. Under the present system, in many instances of particular taxes, the sum levied on the people is half exhausted before it gets to the Treasury. Another source of large economy for the public, to which I beg leave to call the attention of the House, is the monstrous, dangerous, and unconstitutional military establishment of the country; this monstrous unconstitutional standing army, every one must see, is thought necessary to support this monstrous and unconstitutional standing parliament. If this House was looked up to with confidence and respect by the people—if the people viewed this House as their safeguard, and not as the instrument of their oppression; if, in one word, the people were not excluded from all share in the appointment of those who call themselves the representatives of the people, this immense army would become perfectly useless. The army, however, may be essential, or the so called representatives may think it so, which comes to the same thing, for the support of the government carried on by means of a corrupt House of Commons;—for I do not deny, that the people might be indisposed to submit to this usurpation, this exclusion of the great mass of the country from its right of representation, if it were not for the army employed for the purpose of supporting it. I ought to beg pardon however for calling this a corrupt House of Commons. I ought to have done it justice in its real character, and to have spoken of it, as an assembly calling itself a House of Commons, denominating itself the representation of the people—[Cries of Order, order.]

The *Speaker* said.—If the hon. member thinks that such language is consistent with what he considers to be the order of the House, some apology will be due from me, for interrupting him.

Sir *Francis Burdett.*—Whatever you think is out of order, Sir, I must feel to be so.—In truth, the gentlemen who compose this House of Commons, are not corrupt. On the contrary, this House is certainly composed of gentlemen most true and faithful to their constituents; they discharge their duty not only honestly and faithfully, but magnanimously, and in the face of their country incur much public odium often manifested in most unpleasant ways. It must be admitted, that they pursue, like honest attorneys, the interests of their principals. The mistake of calling them corrupt, arises from overlooking their real, and making a false estimate of their supposed duties; the public, who have nothing to do with their appointment, are unreasonable in expecting that they should attend to the public interests; the public may at the same time see in the faithful mirror of their conduct towards their employers, a practical demonstration and proof of the benefits to be derived from a representation appointed by themselves; for true as the nominees of patrons are to their patrons, so true would representatives be to the public, if by the public they were appointed to the same stations. "No man expects to gather grapes from thorns, nor figs from thistles. No man can serve God and Mammon." No man can reasonably expect to derive from another's appointment, the same advantage as from his own.

It is curious to observe, how every part of the present system is made to operate against the people; how the borough proprietors, even when they bind the people, keep themselves free from every restraint: for instance, that most outrageous act, the Septennial act, which Dr. Johnson justly stigmatized as by far the greatest outrage ever offered to public freedom, and a contempt of national rights far transcending those invasions of English liberty, for which the Stuarts were expelled the country. This monstrous subversion of the rights of Englishmen; this cutting up of the constitution, as it were, by the roots; this bondage imposed upon the people by an usurping House of Commons, affects not the usurping boroughmonger at all; it leaves him free as air; for him there is no septennial act; with him parliaments are not triennial, nor even annual; he is practically what has been called, to raise a silly laugh, an oftener-if-need-be-an. The patron can dismiss his nominee whenever he pleases; the first moment or any moment that he sees a disinclination to comply with his interests or his wishes. It is only in popular elections, or places where people have apparently a choice, that the Septennial act has any operation, and when once any portion of the people has been tricked, deceived, or cajoled into an apparent election, their representative is indeed fastened upon them for seven long years; their representative may for the whole of that period vote contrary to their wishes and their interests; he can display his independence of his constituents, magnanimously despise popular clamour—for indeed popular clamour at such a distance is but little formidable—and pursue uninterruptedly his own views and interests, without any regard to the disapprobation or remonstrances of those who sent him there. Not so the borough-patron's nominee; here the Septennial act loses all its efficacy, and though he may display his spirit and contempt of popular clamour, the slightest whisper from his patron either vacates the seat, or bends him to his purposes; to the clamour of the people they will not yield, why should they? with them they have nothing to do, and the nice and curious constitutional question, whether a member when once returned is to be considered as the representative of the particular county, or city, or borough, who sent him there, or whether he is to be considered as the representative of the whole kingdom, which being the most convenient doctrine, is most generally adopted, and therefore at liberty to act as he pleases for seven long years, never comes into discussion between patrons and nominees. If any gentleman should refuse to take the first hint from his patron, he would be considered as the basest and most dishonourable of men. Between constituents and real representatives, common sense and common honesty without refinement at once determine the conduct.

This state of the representation is as derogatory to the dignity of the Crown, as it is injurious to the interests of the people. The king of England can exercise none of the functions belonging to him, none of the prerogatives to which he is legally entitled; even that only act which the boroughmongers admit him to be capable of performing, that of appointing his own ministers, is in truth put out of his power. The king ought to be able to appoint to any place any person whose integrity and talents he thinks calculated to advance the interests of the public; but the powers and prerogative belonging to the regal office are now unavailing, and his only choice is between one set of boroughmongers and another. The just prerogatives of the Crown, vested in it for the good of the nation, and forming an indispensable part of the constitution, are, under the present system, not exercised by the sovereign, except under the control of those who make use of his public authority for their own private ends, usurping equally upon his rights and upon those of the people. It is as if a country gentleman, being desirous of engaging a person for his steward, was told that in such case the steward's brother must be appointed butler, his cousin Tom must be coachman, Peter the cook, and James his valet de chambre. I shall be told, perhaps, that I am professing a Tory doctrine, yet am I not afraid to avow, that the principles of those who were called Tories in the reign of queen Anne, form the substance of my political creed. My belief, that the sovereign ought to have the free and unrestrained enjoyment of his constitutional rights, may be stigmatised as a base and submissive doctrine, contrary to the spirit of Whigism—I have only to answer, that I wish such absurd party distinctions were buried in oblivion for ever; my persuasion is, that the best means of enabling the Crown to acquire and preserve the affections of the people, its best treasure and its safeguard, is, to restore to it those attributes which are essential to its dignity, and of which the borough factions have stripped it and left it bare. The love and reverence of its subjects are the best and only lasting security for every throne; under the present system, little means has the Crown of acquiring them; the ancient property of the Crown has been taken from it; and thus its means of splendor and hospitality, without being a burthen upon the people, are diminished; and it is now placed in the odious light of being a great pensioner on the public: as Junius says, " the feather that adorns the royal bird supports his flight; strip him of his plumage, and you fix him to the earth." Such a condition of things is wholly inconsistent with the plan of government established by our forefathers, and is, in my opinion, adverse to the real interest of the country. We know, from our own history, from many of its brilliant pages, and from the glorious examples of some patriotic kings, who carried the happiness and glory of their country to a higher pitch than was within the reach of individuals similarly placed in other nations, what streams of public good may flow from the unfettered exercise of those prerogatives that the constitution has vested in the Crown! The dignity of the kings of England, formerly supported from their own revenues, exercising a hospitality suitable to the station, without being a charge or burthen to the people, and in the splendor and enjoyment of which almost all, in one shape or another, partook, was well calculated for engaging the subjects' love, willing obedience, and respect to authority.

I have frequently referred with pleasure to a period in our history, which, though often, can never be too often remembered; to that of a sovereign whose memory (I mean the great and glorious queen Elizabeth) every one must be disposed to cherish with sentiments of pride, and fondness, and veneration:—That exemplary sovereign (it never can be sufficiently repeated) stood in no need of a standing army. Notwithstanding the paltry cavils of venal writers, who would persuade us that in her time England was enslaved, because the love and affection of her subjects enabled her to exercise an authority which seemed to know no bounds; the dangers with which she had to contend were perhaps greater, both at home and abroad, than any prince had ever successfully struggled against;—by the wisdom of her councils, the heroic fortitude of her nature, above all, by the generosity and the justice of her government, she overcame them all. When going to meet her subjects upon a great public occasion, as was her constant practice, the Spanish ambassador, who was to accompany her, seeing her receiving the unbought homage of popular affection, asked, with some surprise, where were her guards? she, pointing to her people, replied, " these are my guards." Her great mind saw neither safety nor satisfaction in sitting upon a throne surrounded by satellites. That the affection of her people was her best security, was the first principle of her government; her next was, that her best exchequer was her people's pockets. By a steady adherence to these principles; by a constant undeviating course of impartial administration of justice; she has left a name which, though assailed by the foul breath of calumny, will be renowned as long as England shall be a nation, and be embalmed in the memory of a grateful people, as long as a sense of duty, patriotism, or gratitude, influence their hearts.

How different the maxims of the present day! When the people are borne down by burthens they are unable to support, and when fiscal rapacity, and profligate need, are so great, that the chancellor of the exchequer, who is held up by his colleagues as an example of religion and morality in his private capacity, and who is also, I believe, a member of the Society for the Suppression of Vice, is, nevertheless, always ready to exclaim, whenever money is at stake—religion and morality, what are ye to a tax? "Virtus post nummos," is the motto of the chancellor of the exchequer. In the present labouring state of the finances, every consideration must give way to money. When called on to abandon the plan for raising money by means of a lottery, spreading vice, misery, crime, and a spirit of gambling, and every pernicious effect throughout the country, and bringing but a pepper-corn into the exchequer, there being much patronage connected with it, the chancellor of the exchequer can by no means afford to give it up. Lotteries, however mischievous, are indispensable in the present state of the revenue. When applied to for the remission of a tax, proved to act in a manner most injurious to the health of the people of Ireland, to such a degree as to have obtained the denomination of the fever tax, which carries contagion throughout the country, and is most particularly destructive amongst that people, whose open doors, and hospitable tempers, expose them peculiarly to its effects; still, however, the right hon. gentleman, who is the most humane man in the world, is obliged to confine himself to the mere expression of his excessive sorrow, that the very virtues of the people of Ireland should augment their sufferings, but that the tax, in the present labouring state of the finances, cannot be dispensed with. So when the situation of large classes of the community, literally expiring under the weight of their burthens, demands instant relief, the same answer is at hand, the labouring state of the finances. Nothing can show more the effect of the system, than this difference of character in the right hon. gentleman in his public and his private capacity; in the one, religious, humane, and a suppressor of vice; in the other, unfeeling, rapacious, and the promoter of vice.

The gentlemen denominated Whigs, who talk of retrenchment in this House, though they at the same time declare, it is more for the satisfaction of public feeling, than from any expectations which they believe can be justly formed from the effects of economy and retrenchment, think that though little can be obtained, something should be attempted. If they expect little, the people expect less: the people are well aware of the necessity of wasteful expenditure to support the present system. They entertain no foolish expectations; they have no hope of benefit, except from a very differently constituted House of Commons. In this, indeed, every one has an interest, and the public creditor, who is generally thought to be identified with the present system, has the only chance of payment and security in the change. Without a reformed parliament, his interest and that of the boroughmongers must clash; then who can doubt whose interest must give way; and it is greatly to be apprehended, that more taxes will produce less. I confess, I shall be much surprised if, at the end of the year, the three millions of new taxes just now imposed, shall be found to have produced three millions of additional revenue: the public creditor, therefore, as well as every other class of society, from the king to the cottager, the borough proprietors alone excepted, have the strongest reasons for desiring an improved popular representation. But the advocates of reform have been called wild and visionary: and weak attempts have been made to ridicule them for their perseverance in attempting to obtain the only remedy that can effectually relieve every class of the community; nevertheless, men of as great talents, at least, as are possessed by any of those I now see around me, and I say this without any wish to disparage any one, or to extol departed, at the expense of living merit, have entertained the same views, and have made many able, but ineffectual efforts for the same end, and have by their failure so frequently disappointed hope, that the people are almost in a state of despair. They have thought with us, that no partial measures, however ingeniously devised, or ably executed, could be of any avail, without a total change of the system; and, therefore, the people have come to the conclusion, that a different result cannot be expected from the exertion of any party of men, so long as the same system continues. This was predicted, and justly predicted, by the late Mr. Pitt, at the close of the American war; he asserted, that without a reform of the representation of the people in parliament, no honest man could carry on the government, and that if parliament was not reformed, the country would again be plunged in new wars, upon similar principles, and be involved still deeper in debt, difficulty, and danger. Unfortunately he verified his own prediction, and illustrated, by his example, the truth of his own doctrine. In possession of power, aided and abetted by the circumstances of the times, and lending to them the aid of his own splendid eloquence, he intoxicated the country, as it were, with its charms, and bent his whole powers to the creating that system of delusion, the effects of which we have now reason so deeply to deplore: at length, the excited feelings of the people have subsided; the delusion and the deluder have both passed away; the sad reality alone remains, and the country has at length its eyes open to the miserable situation into which it has been plunged: a situation which may be compared to the state described by a delightful poet, Dr. Armstrong, as that of the miserable being who has long been the victim of habitual intoxication:—

"The happiest you of all that e'er were mad
Or are, or shall be, could this folly last.
But soon your heaven is gone; a heavier gloom
Shuts o'er your head, and, as the thund'ring stream,
Swol'n o'er its banks with sudden mountain rain,
Sinks from its tumult to a silent brook,
So, when the frantic raptures in your breast
Subside, you languish into mortal man,
You sleep, and, waking, find yourself undone."

Thus, Sir, did this country, after passing from delusion to delusion, and after enjoying a short, a very short interval of repose,—"awake and find itself undone." It is in vain for the gentlemen opposite to endeavour again to stimulate the worn-out feelings of the country, to think they have caught the prophet's mantle, that they can recreate the same unsubstantial visions, which have vanished never to return, that would be beyond the power of even the great magician, now no more: he could not do that were he recalled to life, even he, Modred,—

"Whose magic tongue
Made huge Plinlimmon bow his cloud-capp'd head."

What then are we to do? To set about endeavouring to repair the injury we have sustained. What are the first steps that we ought to take? To revise the whole frame of the constitution, to accomplish a radical reform in the representation of the people, to make every practicable retrenchment in the public expenditure, and to abolish establishments serviceable only to the ends of corruption.

It has been said by those whose chief object is only a change of administration, —"Give us good men, and they will give us good measures," than which no creed can be more wild and visionary: nothing advanced more weak, empty, and fallacious, more contrary to just political reasoning and experience, and to the lessons of history, which is well styled wisdom teaching by experience; it is contrary to the opinions of the most celebrated political writers; to the doctrines laid down by Locke, by Machiavel, and above all by Harrington, who opposed these arguments when advanced in his days, by those who looked only to men, and who thought all would be right if the Saints governed; and in answer to it, that great and wise man said, you must have a change of system. "Give us good men, and they will make us good laws, is (said he) the maxim of a demagogue, and is (through the alteration which is commonly perceivable in men when they have power to work their own wills) exceeding fallible. But give us good orders, and they will make us good men, is the maxim of a legislator, and the most infallible in politics." And this is the language of the reformers; and we maintain, that good orders require a fair representation of the people.

We say, moreover, that this embraces the interests of the whole community; it is the interest of the king; it is the interest of the people at large; and of every particular portion of the people;—of the public creditor—of the landed proprietor—the merchant—the manufacturer—the mechanic—and the agriculturist.—It is the interest of all orders and degrees in the state, that a few individuals shall no longer be suffered to usurp the right to nominate a large portion of the members in the Commons' House of Parliament:—even the proprietors of rotten boroughs themselves, on an enlarged view, would find their interest in the measure, when made by the legislature peaceably and quietly. Over and above their interest in a good government, they might get some equitable consideration in exchange for that mischievous power of which they would be deprived; whereas, should the people be ultimately driven to act for themselves, and pay regard to nothing but strict justice, they will lose the whole together, and the state of the country will soon press upon the prudence of the legislature, in a manner not to be resisted, for the reform of a system, which in plain and simple truth, and without oratorical exaggeration, is literally grinding the people to atoms. "His gratiora dictu alia esse scio, sed me vera pro gratis loqui si meum ingenium non moveret, necessitas coget." With respect to those who object to reform on the score of impracticability, it is difficult to comprehend what they mean—there is nothing inherently impracticable in any of the plans that have been proposed, nothing indeed half so difficult in practice, as carrying into effect the present anomalous system. Their meaning must be, that they will render impracticable whatever plan may be proposed, either by opposing it with hollow majorities of this House, or by employing against it that physical force, with which they are entrusted for a very different purpose.

All the plans are equally practicable, though that is to be preferred which combines the greatest portion of public opinion in its support. But ministers are grossly mistaken, if they suppose that the presence of a large standing army will enable them to force upon the people a system of despotic government, heretofore unknown in England; they are mistaken, if they imagine there are no effectual means of opposing even a military force, however great; they forget there is such a thing as passive resistance, as well as passive obedience, and that when the people are determined to be attended to; they have only to cease willingly to cooperate with their oppressors, simply to refuse to pay taxes, and allow ministers to distrain for them. Then would the ministers be undone — Somerset-house would be turned into an appraiser's shop, and bayonets and barracks would be rendered perfectly useless; besides, ministers are grossly mistaken, if they think it is possible to resist moral force by the bayonet; and I confess it is to the expense of maintaining a large standing army in the circumstances of the country, and to the corrupt patronage it affords, that I principally object. I am under no great apprehension with respect to a disposition in the army to assist in the destruction of the liberties of their country. Attempting to destroy English liberty with an English army, the noble lord may not find so safe an experiment; and, I have no hesitation in declaring, that as far as our liberties are concerned, I am infinitely less afraid of the gentlemen of the army, clothed in red, than of the gentlemen of the long robe, clothed in black. The expense however of supporting such an army at such a time, is a most serious evil; and I defy ministers to show any rational ground, except the corruption of this House, for keeping the army up to its present establishment. There is nothing in the situation of Europe, to induce any belief that it can be soon necessary to call forth the warlike energies of the state; most unfortunate indeed would it be for the country, were any such necessity soon to recur, while the spring and sources of national prosperity are by taxation nearly exhausted. But it is said by ministers that it is necessary to keep the country in a commanding attitude, than which no notion can be more absurd. It is with nations as with individuals; any common boxer will inform you, that there is no surer way of being beaten than to hold yourself in a constant position of defence—the powers are debilitated before a blow is struck: on the contrary the boxer takes care to relax every sinew, to case every muscle, till the moment he is called on for exertion: nothing, therefore, can be more injudicious than keeping the country in this warlike attitude, even if there was the least likelihood, which, thank God, there is not, to call for warlike exertion; but if there were, the relaxation of even a single year, would render those exertions more capable of power and effect than they can possibly be, if this overstrained vigilance, this attitude of defence is maintained, until the country becomes ready to faint and drop down from fatigue.

Much however as I object to the large military establishment on account of the expense, I object to it still more from the corrupt patronage which it affords the minister, and the purpose for which alone it is necessary (a fact well known to the people) to support the corrupt majority of this House in their usurpation. If the army were necessary to support the king —which it is not—I should be less reluctant to consent to the sacrifice, than I am under the present circumstances, when I see it employed to support those usurping subjects who nominate the majority of this House—who acting under the authority of, and assuming, and appearing to be the representatives of the people, are, in fact, only the representatives of about two hundred individuals, who thus possess the means of disposing of the liberty and property of the whole country.—But whilst we are apparently guarding ourselves against foreign hostility, we are neglecting our defence against domestic foes. Doctor Johnson relates of his father, who kept a bookseller's shop in Litchfield, that he was very attentive to bar and bolt, and fasten the front of his house; but, never thinking of a small back door, thieves came in at that entrance and carried off all his goods. The undue influence of the individuals to whom I have alluded, is the unguarded back door of this country, at which have entered the public spoilers, and deprived us of our liberty and property:—To bar up this mode of entrance, is the object of reform.

As I am not now about to propose any specific measure upon that subject—as my object is rather to exhibit the state of the nation and its grievances, and their connexion with the corrupt state of this House, I shall content myself with insisting generally on the necessity of some reform; at the same time protesting against any inadequate measure, convinced that nothing short of the House of Commons being appointed by the great bulk of the community, can satisfy reasonable men, or afford national redress. I am one of those who think that extensive, is of less importance than equal right of suffrage; but I am particularly desirous at this time of applying to the wounded and irritated minds of the people the balm of hope—a hope that their just pretensions may, at an early period of the next session, engage our attention: and, as on the one hand I am persuaded, that it is not necessary to carry abstract principle of right to its fullest extent; so, on the other hand, I cannot be persuaded of the policy, sense, or propriety of stopping short of that which is requisite for giving full effect to the public will.

A right hon. gentleman opposite, the member for Liverpool, the supporter and admirer of every thing as it is, though he admits there are some theoretical blots, and irreconcileable discrepancies in the present system, contends, nevertheless, that it answers its purpose, and, on the whole, works well. Now these words "well or ill," are words of reference, and must be applied to something. A system might work well for one party in a country, and very badly for another. I recollect reading somewhere of a scientific surgeon who proposed a system to be adopted for the benefit of science by the dissection of living subjects, and thought that if criminals were thus rendered subservient to the purposes of science, though there might be some little objection to it on the score of humanity, yet the benefit to be derived from such a scheme would be great; and upon the whole that his system would work well: he even complained—"Ut pro duritiâ temporum vivos homines dissecari non licet." The present system may work very well for the right hon. gentleman, but it works very ill for the people of England, Ireland, and Scotland. This notion of working well puts me in mind also of the grave-diggers in Hamlet. The one asks the other—"What is he that builds stronger than the mason, the shipwright, or the carpenter?"—His fellow labourer replies, "The gallows maker."—"I like thy wit well," rejoins the first—"The gallows does well, but how does it well?—It does well to those that do ill.—"Argal the gallows may do well to thee." What right have the right hon. gentleman, and the noble lord on a bed of roses near him, who seem to be totally unacquained with the state of the country—who say that this system of corruption works well—who say that the starving manufacturer is happy, that commerce and agriculture are flourishing:—What right have they to characterise our opinion as visionary and delusive,—they who themselves live in a world of delusion, in a paradise of their own creation, utterly ignorant of, and indifferent to, the general misery and discontent. My object has always been, and still is, to endeavour to impress on the minds of men both within and without this House, and even on the minds of the borough-proprietors themselves, the absolute necessity of coming to some agreement, of entering into some conditions with the people of England; for it is impossible that the present system can much longer continue, and a blind determination to persevere in it against the common feeling and the common sense of the country, will involve all in one common ruin.

To descend to particular grievances would be endless—would occupy far more time than your attention would afford, or my strength supply. Every public department is found to be full of abuse—grievances abound in the reports on your table: whether charitable institutions, madhouses, or prisons, or courts of justice, are objects of inquiry, all equally call aloud for reform; and all the abuses complained of, are intimately connected with, or originate in the corrupt state of the representation; but those which are most directly and plainly connected with it are, the delays and expenses attending on all legal proceedings. It is stated by my lord Coke, that the king is, in the eye of law, ever present in the courts of justice, proclaiming "Nulli negabimus—nulli vendemus, aut deferemus rectúm vel justitiam." And what may the people answer?—Negatur, Defertur, Venditur—certainly not using the last word in its literal sense; for judgment is not actually sold, but the expense of obtaining it is so great, that many persons are induced to put up with material injuries, rather than aggravate them by such expensive means of redress. Even the courts of common law, from which the maxims of common law are nearly excluded by modern statutes and practices, and whose admirable forms were originally well calculated for doing justice without expense or delay, are now almost choaked up by an accumulation of legal expenses, an impediment even to the rich, and an utter prohibition to the poor. But great as is this grievance in the Common Law Courts, it shrinks to nothing by the comparison with the still greater grievances of the same sort in courts of equity. It would not be rash to assert, that the present system of the court of chancery is the source of more human suffering, of more misery and ruin, than any establishment that could well be devised, or tolerated in a civilized country. This too is an effect resulting from the same general cause, the want of a superintending, vigilant House of Commons; and that profligate expenditure which has extended taxation even to the proceedings in the administration of justice, which, above all things, ought to be exempt from burthen, which is the great end of society, and for the obtaining of which, all other taxes are paid.—Better, far, that even bread should be taxed, than that justice, which is equally necessary to human society, should be in any way obstructed. For what purpose are all our taxes—why are we at the expense of maintaining this constitution, and on what ground are our praises of that constitution founded?—What, but that it promises equal justice to the rich and poor. But there is a certain class of subjects to whom, literally, justice is absolutely and altogether denied; that is, all persons, who, not being able to swear they are not worth ten pounds, are however worth very little more. To all such, there is an absolute denial of justice, and though delay is in some sort a denial, and expense a still greater, there may be some quibble upon that, but none as to the first. To take one instance of the magnitude of the expense which may be incurred in a court of equity: In a suit still actually pending in the court of chancery, the defendant was called upon by the plaintiff to set forth a certain statement of accounts; to obtain an office copy of which, what does this House think was the sum which would have been required? say 1,000*l.*? more:—say 10,000*l.*? more:—say 20,000*l.*? more:—not to keep the House in suspense, 29,000*l.* was the sum which would have been required to procure the office copy of these accounts. True it is, the lord chancellor, in this instance, assumed a dispensing power, but that he had any legal right so to do, I am still to learn. The defendant was not compelled to set out the account which the plaintiff had called for; legally or not, it was dispensed with upon the occasion, and the right hon. gentleman, the chancellor of the exchequer, was thus defrauded of a considerable amount of revenue; but ought not this House to be ashamed to hear, that a great part of this sum of 29,000*l.* was composed of stamp duties, arising from its own relentless taxation!

Gentlemen may possibly say, that redress upon such subjects might be obtained without having recourse to reform; but they will not, they cannot say, that it is not a great practical ill immediately connected with the subject under consideration; and it will be difficult to persuade us reformers, that a House of Commons appointed by the people, and vigilant in the discharge of its duty towards the people, could ever have been induced to consent to the imposition of taxes of such a description; and it would be difficult to persuade me, that in bringing it before parliament, as at present constituted, there would be much chance of obtaining effectual redress. This is only one of the manifold evils which result from the want of representation, and which can be radically cured only by that want of the people being supplied.—To this cause may every evil be traced, and, until it is removed, the effects cannot be expected to cease; and experience must have taught us, that even when inquiries into abuses do take place, and which never do take place till the abuses become notorious and intolerable: even then, little else is the result, but intended palliatives, at best inefficient, attended generally with a considerable expense, and not unfrequently aggravating the evil to which they were applied. Therefore it does appear to me, that all minor grievances are the necessary offspring of this master-grievance, this state of Rotten-borough representation, to remedy which, is the "one thing needful;" without which little good can be proposed, or attempted to be done, and in my opinion less effected.—I shall therefore conclude this subject by moving, "That, early in the next session of parliament, this House will take into its most serious consideration the state of the representation."

Mr. *George Lamb*, in rising to second the motion, congratulated the friends of reform on the manner in which it had been introduced by the hon. baronet. It had been introduced so as to embrace all the supporters of reform, and not to embarrass the question by harassing details, which might tend to excite conflicting opinions, and which could be much better reserved for future consideration. He did not mean to follow the hon. baronet through all his eloquent and able details, many of which, however happily delivered, were yet extraneous to the question, and in one of which only he thought him not borne out by the fact. He begged to be understood at the outset as dissenting from the opinions of those men and their theories with whom the hon. baronet was sometimes in the habit of connecting himself; he disclaimed their absurdities; but while he did so, he avowed himself to be the firm friend of a rational reform. He was not one of those who thought that the march of reform had of late been judicious or great out of doors; he rather thought that, from the hands into which it had fallen it had been, to use the military phrase, "marking time," rather than advancing. It had been marching here and marching there, kicking up a dust in its progress, standing still though the feet were occasionally thrown forward; or rather, if any, making a retrograde motion. He could not think with the hon. baronet, that the House had been idly occupied in the course of its present sittings; though not indeed engaged in the work of reform, it had been employed in punishing and pulling down, to a certain extent, bribery and corruption. He was astonished that the hon. baronet should have overlooked these acts. The hon. baronet was certainly absent on the occasions to which he alluded. He did not impute any blame to the hon. baronet for such absence: no doubt he was employed in his retirement, and had consumed his midnight oil, in preparing the able statement which he had that night made to the House. With respect to the ulterior steps to be taken, he had no hesitation in avowing his wishes to see the borough system purged of its corruption, and the elective franchise extended to populous places where it did not now exist. He should also wish to see the duration of parliaments shortened. The effect of this would be, to create a greater identity between the represented and the representative, than now existed, particularly at the beginning of a new parliament. Were parliaments triennial instead of septennial, this distinction would not be observed between the first year and the last of a new parliament.—It had been said, that much evil would arise from the close repetition of the tumultuary proceedings at elections. He was of a different opinion, and would feel no hesitation at triennially facing his constituents. He was one of those who admired the bustle of a popular election—it was an excellent ordeal—for bringing the candidate before his constituents—it was, in fact, the periodical infusion of a new spirit into the constitution. He liked the jollity, the freedom of language, and even the abuse which flew about on such occasions. He knew there was another and a different ordeal sometimes to be passed at elections, and which resembled that of their ancestors—an ordeal of fire and sword. He had no objection to a little bespattering of mud, as the right hon. gentleman (Mr. Canning) once alluded to—on these occasions; he was content to run all risks of that kind triennially, instead of septennially; and he should even have no objection to see the right hon. gentleman or himself bringing with them into that House some of the mementos of their being confronted with their constituents at fresh elections.—He differed materially from the hon. baronet in thinking that reform was the grand panacea for all evils, or that it was the only thing which ought to be attended to. He was not one of those who thought that reform would make bread cheaper, that it would do away the possibility of wars, or prevent the possible occurrence of bad harvests. He did not think it would realise those happy times, when, according to Fortescue, "all men would wear woollen clothes, and drink no water." But although he did not think parliamentary reform absolutely the philosopher's stone, he was persuaded it might be so managed as to be productive of great good. If it would not prevent the origin of evil, it might check its career. It would diffuse among the people a greater reliance on their rulers—a reliance of which, he lamented to say, the great mass were at present almost wholly divested. He saw much to approve in the hon. baronet's proposition. It appeared to him to be the only one calculated to unite the friends of reform. He had endeavoured, and he hoped not unsuccessfully, to express his own opinions on this interesting subject; and in doing so, to draw a broader line of distinction between himself and some of those who called themselves advocates for reform, than existed between himself and any other class of political men. He begged leave to add, that whatever reception the present proposition might meet with, he must still consider the members of that House as the constitutional representatives of the people; and he trusted, that if he had uttered any sentiment that might be deemed in the slightest degree disrespectful, it would be attributed solely to haste or inadvertence.

Mr. *Grenfell* observed, that the present did not belong to the class of subjects on which he was accustomed to address the House. Although it was not his intention to follow the hon. baronet through all the arguments which he had, for the eighteenth time during the last eighteen years, heard that hon. baronet advance, yet, as the subject was one which of late years had appeared to attract peculiar attention, as it was undoubtedly one of great importance, and as although since he had held a seat in the House, he had frequently voted, but never expressed his opinions on the subject, he felt anxious not to allow this great constitutional question to be decided without taking one opportunity, in the face of parliament and the country, of avowing his sentiments upon it. In the few observations with which he should trespass on the House, he would endeavour strictly to confine himself to the subject under discussion. Without further preface, therefore, he would declare that he was one of those—he trusted a great majority both in the House and in the country—who saw in the practical effect of the existing system of representation much real, substantial, and positive good. He might perhaps be permitted to add (and in doing so he disclaimed all intention of giving offence, although he felt it his duty to express his opinion without reserve) that he wanted faith and confidence in the political wisdom and sagacity and sound discretion of many of the advocates of what was called parliamentary reform. Unquestionably there were many whose sentiments were moderate, to whose opinions and principles he paid great deference and respect, and among them not a few to whom he was politically attached; but he could not disguise from himself that there were others in whose general qualifications, in whose attainments as statesmen, in whose competence to new model the system of representation (the heart's blood of the constitution) he had no faith or confidence. Without going out of his way to attribute improper motives to any one, the conviction of his mind was, that if the object at issue were once in their grasp, so great were their zeal and enthusiasm, that they would risk every thing in order to try their hands at an experiment, the result of which would not be to give the country any thing better than that which it already possessed. Before he could consent to endanger an existing for a possible good, he must have some stronger inducement than the hopes and promises held out by the description of reformers to which he particularly alluded. This was not an opinion hastily, rashly, or vaguely adopted. It was his deliberate conviction that the present system of our representation, with all its theoretical defects, was a more practical guard of liberty, and afforded a better security for property, than any that had ever been established in other states of society constituted as ours was. But he did not stop there. Having stated his conviction of the positive, substantial and unequivocal benefits which the country derived from the existing system of representation, he must be allowed to express considerable doubt whether any great, material, or, above all, radical change in that system, however beautiful in theory, would, in practice, be attended with the advantages prognosticated from it. While he declared this to be his opinion, he was anxious to guard himself from being misunderstood or misrepresented. He by no means held that the present system was complete, that it was free from blemish, or that it did not, in a certain degree, partake of those imperfections which pervaded every human institution. No doubt time had done something to diminish its excellence, and perhaps impair its stability. But instead of the sweeping measures of reform suggested by the hon. baronet, he (Mr. G.) would rather recommend a more sound and practical course. Whenever a proposition should be made to the House, clearly pointing out a defect, and indicating a remedy equally intelligible and precise—to such a proposition no man would be more ready than himself to give a cordial assent. As the question of parliamentary reform had for many years engaged his attention, he trusted the House would allow him to state what had always appeared to him to be the only practicable principles on which that reform could proceed. He had long thought that the influence of the Crown in this country, and particularly with reference to this very question of parliamentary reform, was much too great; and that it would greatly tend to the public good if that influence were to be considerably diminished. All must recollect the resolution which, in the year 1780, was proposed by Mr. Dunning, and adopted by the House, namely, "That the influence of the Crown has increased, is increasing, and ought to be diminished." This resolution was carried 39 years ago. He entreated the House to recall to their minds what had since happened. In 1780, the national debt was only 160 millions; at present it was little short of 800 millions, being a fivefold increase. The next feature of difference was, the public revenue, or, in other words, the taxation, which had increased in a still greater proportion than the debt: for it had been augmented, not only to meet the increased charge on the debt, but the increase of all the establishments, civil and military; and they formed the third feature of difference. The most material consideration, however, was yet to come—he meant the means of collecting the revenue. The machinery by which the collection of the revenue was effected, was neither more nor less than one entire mass of Crown influence. He was perfectly satisfied that the influence of the Crown, inherent in this increase of debt and revenue, had spread like a torrent over the land. If, therefore, there was the least truth in the resolution of 1780, declaring the influence of the Crown to be too great, must not the House arrive at this conclusion—namely, that under the operation of the circumstances which had since taken place, the influence and patronage of the Crown must in a tenfold degree weigh down the public interest? He had only one further observation to make. It related to a circumstance connected with any parliamentary reform, which he confessed had for many years made a deep and almost an indelible impression on his mind; strengthening the opinions on the subject which he derived from other considerations. That circumstance always made him cling more earnestly to the present system, and rendered him more averse to lend himself to any measure tending to bring that system into risk or jeopardy. It was this—the total want of concord and unanimity among those who called themselves reformers. With the exception of the radical reformers, he never met with three individuals professing moderate reform to be their aim, who coincided in their opinions on the subject; or from whom he was able to obtain any distinct view of the grievances of which they complained, or of the remedy by which they were desirous that those grievances should be removed or mitigated. The only point on which the different advocates of reform concurred, was, in that of moving for a committee of inquiry similar to that now sought by the hon. baronet. He had been often desirous to obtain such information as would direct his judgment on this question. He had frequently asked some of his hon. friends what it was they wanted, and which was the mode by which they could satisfy those wants. The only answer he could obtain was, that a reform in parliament was necessary, and that if the House would only grant a committee, both the evil and the remedy would be pointed out. Now, before he could agree to any plan of parliamentary reform, he must see, not only what the nature of the abuse was, but also what was the specific remedy to be applied. He should give his dissent to the motion; and he could not do so more satisfactorily to himself, than by moving as an amendment, "That the other Orders of the day be now read."

Mr. *Gurney* said, he should vote for passing to the other orders of the day, on the grounds of the motion going to pledge the House as to its proceedings in a future session.—When circumstances might be such, as that it would be extremely proper to go into an inquiry on the state of the representation; or others might arise to render it extremely inconvenient. The hon. member said, he should not follow the hon. baronet through the whole of his historical detail, in which, as usual, he had instanced times and persons with a very singular infelicity; but he could not help expressing his hope, that the measures of the present session in throwing boroughs convicted of gross corruption into the adjacent hundreds would not be persisted in. The Commons House of Parliament, had, from the first, been constituted of four descriptions of persons—the knights of shires, the representatives of considerable places paying largely to subsidies, the burgesses of the boroughs of burgage tenure as the king's tenants in ancient demesne, and the representatives of the chartered boroughs: through the medium of these, all classes of the community were in effect pretty fairly and equally represented. Whilst, by the hon. baronet's plan of localizing reform, the whole power of the state would be thrown into the hands of the Crown and the great landholders—the professions, and the commercial interests, would hardly be represented; and it was difficult to see how the colonial interests could be represented at all—which last, in the present extent of the British empire, was no trifling consideration in the well governance of the state. At the same time it would not be denied that all the towns formerly of great importance did send representatives—that borough after borough whilst the representation was considered a burthen, did, either by favor or neglect cease from receiving the precept—That there had been constant instances of writs issued to new places—and therefore, according to all constitutional precedent, and all principle, and all analogy, when the charter of any borough was declared to be forfeited, the vacancy ought most purely to be filled by some great unrepresented districts, and not by the freeholders of an adjacent hundred, already, as such, voters for their county. By pursuing such a system, you might give Cornwall forty-four county members, and thereby, instead of these small places furnishing representatives to the interests of the country at large without local bias—produce such local preponderance as would be utterly unbearable. He most earnestly wished that, instead of this, Birmingham, Manchester, Leeds, and other large unrepresented towns—might receive the right of sending members to parliament; which he was convinced would give universal satisfaction, and put an end to the clamour which was every where attempted to be raised by the radical reformers.

Sir *Robert Wilson* stated, that he could have only one objection to the course pursued by the hon. baronet, and that related to the time when he introduced this motion, the session being so far advanced that a number of members were absent, not expecting a question of such magnitude would come under discussion, and who therefore lost the opportunity of giving the measure their support. He, however, had been one of those who thought that the question of reform had better be deferred, that the economists might make a fair experiment of their strength, and not have it in their power to say that they were weakened by an apple of discord being thrown amongst them by the reformers. Their campaign, however, had ended as he anticipated; they had failed in every attack on the admiralty, the ordnance, the war office, and the colonial and foreign department. His hon. friend, the member for Cork, although he had seen him gain difficult trophies in Egypt, Eylau and Friedland, had not been able to wrest a single snuff-box from the noble lord opposite. At length they were totally defeated and shattered to pieces by the chancellor of the exchequer, so that with difficulty they could form a new guard to check the progress of the conqueror, who pursued his advantages night and day without intermission. The economists would now see the prudence of combining their plans and advancing in parallel lines with the reformers. It would have been desirable, therefore, that the question should have been delayed until every man was at his post; but the hon. baronet had assigned as a reason the serious state of the country for not waiting till the next session, and if by the vote of this night he could appease the irritated feelings of the people, he would render a great service to the community. It was natural those feelings should exist; the people were generally instructed in their rights; they knew that they ought to be substantially represented, and they were daily instigated to desire and labour for a purification of the House of Commons, by woful experience of the consequences of the present incomplete and partial representation. They knew that the House of Commons should fully speak the wants and desires, and be an express image of the feelings of the people; but was not it invariably the echo of the ministers of the Crown; without any regard to public opinion, if that opinion consisted in the approbation or disapprobation of the great majority of the community as to the acts of government? But this was the natural consequence resulting from the composition of the House, also exposed to the action of that machinery of revenue and patronage which had been described by the hon. member for Marlow. At the present time, if the former were to be examined into, it would appear that from two to three hundred members were nominated by peers, 187 by individuals and the government, leaving only a balance of 121 returned by the people. It would be superfluous to attempt to prove that such practice was at variance with the principles and theory of the constitution.—The hon. baronet had quoted Justice Blackstone. He might have quoted Locke and every other public writer, and what was said by lord Chatham, Mr. Fox, and Mr. Pitt. What had been published by the friends of the people (of which the noble lord opposite was one of the most distinguished members) were familiar to every member. The only question, therefore, was, whether the practice should be brought back to, and reconciled with theory; and whether the present was a fit season for making the attempt? He thought the hon. baronet had proved the necessity of the measure, and that it was a convenient time to apply the remedy. Certain members, however, were hostile to every species of reform. An hon. member had called upon the House to bear in mind the substantial blessings the country enjoyed under the existing constitution of the House; but even he had been able to distinguish, and had pointed out certain evils resulting therefrom; among others, the vast extent of taxation —and was not that alone a sufficient ground to agree to the motion? Did not the inhabitants of York, of Lancashire, of Ireland, cry out against the pressure of taxation, to which they well knew they would never have been subjected, had they been equally represented? He should not undertake a refutation of all the objections usually made against altering the construction of the House of Commons; but there were two among them which he thought entitled to some consideration. In the first place, it was urged, that ours was a constitutional monarchy, and not a regal commonwealth, and that, therefore, any attempt to obtain a purer representation, went to overturn the constitution. What was that but saying, that no confidence was to be reposed in the loyalty of the people, and that it was necessary to substitute nomination and corruption, which debased the national character, for free suffrage, uninfluenced election, and honest opinion? He was sensible the house of Brunswick would never assent to a doctrine which tended to strip it of the truest glory any prince could gain—the glory of founding authority on the consent of the people, and making their laws the foundation and support of the throne.—The next objection was, that that House already virtually represented the people—that its members were obliged themselves to obey the laws that they enacted, and that thence resulted an union and harmony of the general with individual interests. But that deduction was at variance with all history, which showed that in all times and countries legislators passed laws contrary to the public feelings, and which had ended in revolt and the overthrow of the government. The fact was, that when law-givers were nominated by persons in authority, they were subject to what may be called a sinister influence, and must necessarily have views, feelings, and duties distinct from those of the great body of the people from which they were selected, and to which they hoped never to return—or at least never to return without securing such advantages to themselves as would compensate for the evils their legislation had wrought for the nation. To these causes the people justly ascribed resistance to all measures of economy, the multiplication of taxes, and the greatest of all evils, the irresponsibility of ministers. The most ungenerous enemies of reform were those who rejected all inquiry till a specific plan was brought forward. An hon. member had declared he would not sanction the motion till some particular system were proposed of which he could approve; but he seemed to forget that plans had been produced in the House. He himself had submitted one (to transfer the elective franchise from convicted boroughs to unrepresented districts), so had the hon. member for Weymouth (Mr. Williams), neither of which had received the support of that hon. gentleman. What would be said of a trustee, whose duty it was to repair an edifice, but whose interest it was not to make those repairs, always replying to the complaining heir, that before he agreed to their demand, he must first see some plan which he might oppose—Though Wyatt, Smirke, and all the artists in England, were to exhibit plans, none of them would satisfy such minds: one would be too Grecian, another too Gothic; some too ancient, others too modern. The complying drummer might as well have attempted to please the unfortunate soldier, who when flogging cried out "that's too high, that's too low; Oh! don't strike in the middle!" The hon. baronet with great propriety had abstained from producing any plan: it was for the committee to consider all plans, and select the best. In that event, the triennial and householders' plan might be examined, Mr. Pitt's, the duke of Richmond's, as well as others. For himself, he should say, that he was for the triennial and householders' system; but if they only agreed to grant the triennial parliaments on the first instance, he should think a great advantage would have been gained for the country; for triennial parliaments would undoubtedly be more under the control and influence of the public than septennial; and, therefore, pay more attention to the wishes of the nation. The people make their appeal to the House as their judges upon earth; let not the House reject that appeal; let it not be said of the House, "Eripit etiam spem, qua sola homines in miseria consolari solet." He should conclude with this sentiment of that great political writer, Mr. Locke:—"As it is the undoubted interest and intention of the people of this country to have as fair and equal a representation as possible, whoever brings it nearest to that end is a friend to, and establisher of the government, and cannot fail to obtain the consent and approbation of the community."

Mr. *Wilmot* could not help regarding the agitation of this question with much suspicion and apprehension, when he observed that it coincided so accurately, in point of time, with those meetings throughout the country which he could characterize by no other name than seditious. Reform in that House was ingeniously combined with the most dangerous and alarming schemes. It was a lever or instrument by means of which the whole force of the lower and more turbulent classes of the community could be applied to the overthrow of all that was stable and salutary in the state. For the ostensible purpose of reform, meetings were held in districts where those classes were numerous. It was upon those occasions represented, that the rich, the land-owners, and the clergy, were the enemies of the people. Upon those occasions, there never was any sober inquiry, or deliberate discussion, but loose and vehement declamation against every thing established and every thing respectable. He was therefore justified in connecting the motion now brought forward with the state of the people, and in regarding that connexion as equally unwise and delusive. The gallant general had said, that he should be satisfied with triennial parliaments and household suffrage; but would such a reform, if effected, remove the abuses and difficulties which now existed? The radical and sweeping reform of the hon. baronet would probably remove all establishments, and dissolve all national obligations: we should be driven back in the career of civilization, and obliged to begin *de novo*. He was an enemy to corruption, and where any overt acts of corruption were proved in boroughs, he thought nothing better could be adopted by that House than disfranchisement. As for the mere restoration of triennial parliaments, that could not improve or change in any degree the connexion between the people and that House. He could not therefore see any good that could be expected from it. Comparisons had been instituted with former times. He had hoped that the time had gone by when contrasts should be brought forward in that House, even by the hon. baronet, to the advantage of ancient times. He was astonished that the House could have repressed its indignation at hearing it gravely asserted that liberty was better understood and more enjoyed at periods when portions of the people were transferred, like cattle, from one lord to another, when Richard 2nd could say to the villains of Essex, "Rustici, fuistis et estis in bondagio," &c.; for the hon. baronet had stated that the liberties of the people had then been infinitely more attended to than at present. The House of Commons of those times had been in nothing like the present corrupt House as it was called. They had been then assembled solely to assent to propositions and acts from the Lords. He was therefore astonished that such assertions could be ventured on in that House. It seemed as if it were expected that the guardians of the constitution should be fast asleep, and that the reformers could, as Bolingbroke expressed it, "sculk into the sanctuary of the state." The people listened with avidity to such false representations; anxious to be deceived, because the deception flattered their pride, they never doubted the correctness of assertions the most unfounded. It was by exaggerated statements of the advantages to be derived from a radical and sweeping reform, that all reform was brought into disrepute. It was sufficient to refer to Blackstone as an authority for affirming that our liberties stood now upon a fairer and stronger foundation than at any former period of our history. The Friends of the People in 1793 and 1794 had proposed a plan immeasurably more rational than the hon. baronet's. He was convinced that the right of suffrage required, not to be brought lower, but to be raised higher than at present. Lord Bolingbroke, in his "Dissertation on Parties," represented the necessity and advantages of reform in more vivid colours than the hon. baronet could use; and he admitted, at the same time, the great talents of the hon. baronet. Yet lord Bolingbroke said distinctly, that reform was to be effected by raising the qualifications of electors, as proposed in the reign of Edward 6th. That was the only reform which he should consent to, as a measure that would place the elective franchise in the hands of those whose education and independence would not suffer them to flatter the worst passions of the people, and to juggle them out of their rights and liberties. That all the evils of our population would cease if the motion of the hon. baronet were acceded to, he positively denied. The deduction of the hon. baronet in this respect was totally unphilosophical and unwarranted. With respect to the sufferings of the people, remedies might be found for them; and probably the wisdom of that House would provide suitable remedies, but he did not connect it with reform. The first remedy in his view, was a radical alteration of our system of poor laws. The next was a due encouragment to a system of emigration; not such as those would recommend who opposed the restraint on foreign enlistment, but emigration to our own colonies. As far as sound political economy, as far as the progress of political science, could afford relief to the poor, none could be more zealous than he was, to afford relief. But, because political economy and political science were not acted upon so far in some points as he thought right and salutary, was he therefore to support a proposition for reforming parliament? A parliament constituted and assembled merely to consider the sufferings and to administer to the comforts of the poor, was an absurdity and a fallacy. In such a parliament as the hon. baronet would form, great and public business could not be carried on. It was surprising that so little sympathy with the hon. baronet appeared in that House; but the cause was, the discrepancy between his views and those of other members, and the conviction that no ultimate object could be attained by him. He, for one, had seen no specific proposition of reform, which would not endanger the whole constitution of the state. Dr. Johnson had been referred to by the hon. baronet, and Dr. Johnson had said, that "the hand which could not build a hovel, could destroy a palace." This was strikingly true. The work of destruction was soon done, and required but the coarsest instruments; while to rebuild required skill, perseverance, and careful nicety. It was on this account that he opposed the motion of the hon. baronet, who had improperly lent himself to the passions of the people at the expense of the members of that House. It was all at their expense; for it was by describing them as corrupt and cruel, that the people were led to believe reform indispensably necesssary, and to expect every advantage from its adoption. There were many great men who had, on former occasions, delivered opinions upon this question, but he should confine himself to the sentiments expressed by the late Mr. Fox. He begged permission to read Mr. Fox's opinion on this subject—not because he considered himself bound to maintain the permanency or consistency of Mr. Fox's opinions; but because sentiments, most just in themselves, were upon this occasion expressed by him in a manner peculiarly forcible:—"We have higher obligations to justice than to our constituents; we are chosen the delegates of the British electors, for salutary not for pernicious purposes; to guard, not to invade the constitution; to keep the privileges of the very freemen we represent, as much within their proper limits, as to control any unwarrantable exertion of the royal authority. We are bound to promote their true interests in preference to the dearest desires of their hearts; and the constitution makes us the sole arbiters of those interests, notwithstanding the imaginary infallibility of the people. To show the propriety of this reasoning, let us suppose that the people, instead of this mixed monarchy, which we celebrate as equally the pride and envy of the universe, should instruct us, their representatives, to introduce a democratical form of government; should we act as good subjects to our king, or as faithful guardians to our country, if we complied with so dangerous an instruction? Shall we then do what we are sensible is wrong, because the people desire it? Shall we sacrifice our reason, our honour, our conscience, for fear of incurring the popular resentment; and while we are appointed to watch the Hesperian fruit of liberty with a dragon's eye, be ourselves the only slaves of the whole community?" Upon those principles he thought himself perfectly justified in not concurring with the hon. baronet.

Mr. Alderman *Wood* said, that he had heard it contended in that House that the freemen of boroughs ought not to be deprived of their rights. By their rights, he supposed was meant the public breakfast, or 24*l.* for every vote, as at Penryn. In London there were 12,000 voters, and they would have no objection to the addition of 12,000 more, if the number of representatives were not diminished. This, then, was the zeal of members for the rights of freemen—for rights that were vendible to the highest bidder. There had been a display of this sort of zeal a few nights back against a bill for very limited improvements in the Cornish boroughs. Many members had promised at the last election to support reform. For himself, his sentiments had been well known, and therefore no particular promise had been required from him. The motion had been brought forward later than he had wished, but it had no connexion whatever with the meetings of the people which had been alluded to. On the contrary, he was convinced that the object of the motion was to allay the indiscret ardour of the people, by showing that persons better fitted for conducting the question had undertaken it; and if agreed to, its effect would be, to produce tranquillity in all classes of the community. An hon. gentleman had objected that no plan had been proposed. Thus it always happened some plan was always referred to as visionary, and no plan that could be proposed would be satisfactory. The hon. baronet had last year proposed resolutions which appeared to him extravagant, and therefore he had not voted with him; but this year he had proposed no plan, and therefore he would vote with him. Of every thing in the hon. baronet's speech he approved.

Mr. *Williams* said, it was his firm conviction, that on a reform of that House depended the stability of the constitution and the happiness of the people. An hon. member had urged that much good had been derived from the House of Commons as now constituted. This was indisputably true. It was impossible that an assembly of gentlemen, however selected, could deliberate and take part in legislation in the present age, without doing much good. But the question recurred, can we not derive greater good from it? If the House had consulted the good of the country, it was most unfortunate for that hon. member to have been uniformly opposed to the good of his country. If he had thought it necessary, he could have come prepared to specify many particular questions which had been decided by that House, and the numbers which divided upon them; but one instance he could state from memory, in which a different result would have been a great good. A motion had been made immediately after the peace for maintaining a large standing army. Particular good would have been got by defeating this motion. It was carried by 3 to 2. But if all the members for boroughs requiring reform were struck out of the number, the proportion would be reversed, and the motion for the large standing army would be supported by 2 to 3. He would ask, was not the county representation more pure than the representation of Penryn, Grampound, and Barnstaple.

There never had been a question in which the feelings and happiness of Englishmen were more concerned than in the question respecting a standing army. When the people were roused into action, they were always sufficient to repel any invasion; and therefore a standing army, to a free people, and environed, as we were, by the sea, was quite unnecessary. Thus, then, it appeared, that the feelings of the House would have been more in unison with those of the people, if the representation were uncorrupted. He entertained the profoundest veneration for our constitution; but he was convinced that its stability depended upon the purity of that House. If that House degenerated into a nominative senate, wherein did it differ from the base instrument of oppression in the hands of an insolent despot, who had carried desolation and rapine to the remotest corners throughout Europe? He had had a nominative senate; but if he had had a representative assembly, he could not have occasioned so much mischief. It appeared that ministers did not consider any arguments upon this question worthy of a reply. If a committee were appointed to inquire into this subject, nothing but what was beneficial could result from its labours. As a friend to his country, as an enemy of corruption, as an admirer of the constitution, as an Englishman, as a lover of his king, he believed reform to be essential to the prosperity of the nation. He did not believe that the influence of the Crown had increased since 1780. It had never been so low as at the present times. But the influence of the government had increased. If the Crown should take an administration not acceptable to those who held boroughs, that administration could not stand. An instance had occurred not long since, which proved that the Crown was controlled by the holders of boroughs.

Mr. *Grenfell* said, he was friendly to the throwing open of corrupt boroughs, and extending the elective franchise to the hundreds, or transferring it to the northern counties.

Mr. Alderman *Waithman* said:—Sir; the speech of the hon. gentlemen near me (Mr. Grenfell), appears, as far as the proceedings of this House have fallen under my view, to be at variance with his own conduct, and inconsistent with the vote he has declared his intention to give on this occasion. The hon. gentleman has contended, that all our present evils have arisen,—not from the defective state of the representation,—but from the influence of the Crown; which has, since the time of Mr. Dunning's celebrated motion, been the means of increasing our public debt from 160 millions to the enormous amount of 800 millions. But, Sir, how could this influence have so predominated, if there were no defect in the construction of this House?—In our constitution, the House of Commons is the controlling power over the executive branch of the government;—the guardian of the public purse, as well as of the liberties of the people. If, then, the influence of the Crown, as expressed by Mr. Dunning, has increased, and is increasing, and by that means our debt and taxes have advanced to their present fearful amount,—is it not manifest that this House has lost its controlling power, and become inefficient?—that it is itself controlled, and requires reformation? Had this House exerted a vigilant and efficient control over the executive,—and had this influence been restrained by a free representation of the people,—could the country have been brought into its present calamitous condition? Upon what ground, then, does the hon. gentleman defend the constitution of this House, by which that influence which he so loudly deprecates is promoted and protected?—And how does it happen, that the hon. gentleman himself, should for so many years have felt it necessary to oppose that system of taxation and influence, which the majority of this House has always supported?—Would it not follow, that the hon. gentleman had always been wrong;—that the ministers were always right;—and, therefore, his exertions were uniformly rendered unavailing by the decisions of a pure majority of this House. The hon. gentleman has stated that he has sat 18 years in this House, and has often heard similar propositions supported by a repetition of the same arguments. But, sir, instead of making this objection,—would it not have been better, if the hon. gentleman had undertaken to refute those arguments; which, however, he has left untouched. And is he not aware, with how much force the same objection might be urged against him, upon his favorite topic—the Bank.

An hon. gentleman (Mr. Wilmot), instead of attempting to meet the arguments, or to controvert the facts, in favour of reform, has imputed to the friends of the measure the base and wicked motive of endeavouring to inflame the public mind, by instigating popular discontent. This, Sir, is a natural way of meeting propositions that are unacceptable, and arguments that are unanswerable. I have heard nothing from the hon. baronet that can fairly be said to have any such tendency, nor can I conceive how the motion can have such an effect;—why else, it is said, has the measure been deferred to this advanced period of the sessions? I have had no communication with the hon. baronet on the subject, nor does it follow that, in supporting the motion, I should agree in his view or plan of reform. But, Sir, I can see no objection, either to the time, or the manner, in which this proposition is introduced to the House. On the contrary, after the sentiments of the people were so clearly ascertained at the late election,—after the desire for reform and retrenchment was so unequivocally and universally expressed,—after the result of all the popular contests had evinced a spirit favourable to temperate and practicable reform, and adverse to wild and visionary theories,—there was reason to hope, that the question would have been taken up by ministers themselves in this House;—that, seeing this strong and steady disposition, they would secure the respect and esteem of the country, by consenting to its unequivocal wishes. It therefore became the hon. baronet, and others interested in reform, to wait, and see what would be the conduct of ministers. They have therefore given the government fair play. The people have waited,—in silent expectation,—to know whether the government or the parliament would originate any measure calculated to allay their sufferings, and redress their grievances;—and what has been the result?—What has the nation witnessed? Why Sir, the session has been suffered to pass away, your deliberations are nearly brought to a close, and no measure of retrenchment has been determined upon, nor any attempt made to promote the principles of reform; on the contrary, you have only added to their burthens;—and, when corruptions so flagrant at Grampound, Penrhyn, and some other boroughs, were brought under the consideration of this House, that it would not be prudent, perhaps, altogether to overlook, as if fearful that too much should be disclosed,—a most cautious delicacy was shown to individuals called upon to answer questions calculated to discover the full extent of such moral and political depravity.

Sir, the people of this country are treated, on some occasions, as if they were destitute of common comprehension. They are thought to be incapable of understanding their own interests, and unfit to be entrusted with the exercise of those rights they inherit from their ancestors. Gentlemen are however greatly mistaken, if they entertain such notions. In one respect I have the advantage of most of the honourable members present; for, however deficient in talent or knowledge on other subjects, I have this superiority, at least, of knowing the real sentiments of a great portion of the British public, no one having mixed more with them, or been more accustomed to popular assemblies. I know them to be an enlightened, intelligent, and reasoning, community. I have recently canvassed some thousands; and, invariably, a spirit of sound and rational reform has appeared. I never could have obtained my seat in this House on any other principles. If the people of this country are not sufficiently enlightened to be allowed the exercise of the elective franchise,—I would ask, then, to what period of our history are we to look?—Even in times the most remote, our ancestors enjoyed this right. If, then, during the earlier times of our political history, they were vested with the sacred right of choosing representatives, will any hon. member have the confidence to contend, that they are now too ignorant of the constitution, or have too little attachment to its principles, to be permitted the full enjoyment of its benefits.

Sir, as a measure of imperious justice,—as a measure of national policy, upon which the safety and happiness of the state depends; this House ought not to separate, before some advancement has been made towards inquiry:—the very prospect of which is calculated to allay the irritated feelings of the nation, and encourage a tranquil confidence in the administration, and in parliament. By agreeing to the present motion, the House does not pledge itself to any particular measure: it merely gives an assurance, that, in the ensuing sessions, it will take the most direct and effective means to ascertain the real cause of alarm, distress, and dissatisfaction; and apply to them the best remedy which an earnest and faithful investigation can suggest. Is there any thing in such a proposition to inflame or to irritate the public feeling? Will it not, on the contrary, tend to calm the minds of the people?—The chancellor of the exchequer has lately thought proper, with this view, to hold out to the country some promises of economy the next session: these promises, however, appear to be a mere delusion, to get over present difficulties, and made for the mere purpose of passing down some most unpalatable expedients. The people pressed down with the weight of their distresses, covered the table of the last parliament with petitions:—those petitions were passed over with neglect and contempt. They have however borne their sufferings with exemplary patience;—they have sustained with fortitude and forbearance, the irritating union of injury and insult. And what has been done, during the present sessions, towards redressing their grievances?—Why, Sir, they have complained of their burthens, and you have increased them;—they have asked for bread, and you have given them a stone;—they have complained of excessive taxation, and you have loaded them with three millions of additional taxes; and these taxes, on commodities that affect chiefly the middle and poorer classes of the community. A tax, for instance, of 4*s.* a pound is paid on tobacco:—the real value of the article itself is only 6*d.* The tax on malt is most oppressive to the labouring classes.—Sir, I am sorry to have seen the misapplication of knowledge and ability in an hon. gentleman to whom I have before alluded; had he given his powers to the cause of reform, he would have made a more formidable appearance. The hon. gentleman came evidently prepared with a quotation from Mr. Fox in his hand; but I would advise him to look a little further into the opinions of that great statesman, before he ventures again to quote him on that subject. The hon. gentleman will not surely pretend, that the quotation he gave was applied to the question of reform; it applied to the relative duties of members and their constituents. Mr. Fox's sentiments are well known on that point. He was of opinion, that in some instances a member might be instructed to do that which, as an honest and conscientious man, he could not perform:—I am of the same opinion, although I do not think such a difficulty very likely to arise. I wish the hon. gentleman to understand, that Mr. Fox was a zealous and consistent reformer, and a radical reformer; not in the sense that term is now applied: I wish, indeed, these silly catch-words were exploded, for there can be no reform but what is radical;—that is, wherever an abuse is found, it should be taken up by the root: to remove the top only would be to make it shoot up with more vigor. I would recommend the hon. gentleman to read Mr. Fox's speech on reform in 1797, the best speech ever made on the subject. In that speech he maintained, that "we had no chance of recovery without reform;" and that—"a day, an hour, ought not to elapse, without giving ourselves the chance of this recovery. When government is daily presenting itself in the shape of weakness, that borders on dissolution,—unequal to all the functions of useful strength, and formidable only in pernicious corruption,—weak in power, and strong only in influence,—am I to be told, that such a state of things can go on with safety to any branch of the constitution? If men think that, under the impression of such a system, we can go on without a recurrence to first principles, they argue against all theory, and against all practice." I need not remark, Sir, with how much more force these observations would apply at the present moment. The hon. gentleman has talked of other authorities, but he has not adduced any; indeed, all the great authorities are in favour of reform,—Locke, Justice Raymond, and fifty others, down to Blackstone; with lord Chatham, lord Camden, Mr. Pitt, and even Mr. Burke,—for, although alarmed, yet in his better days, and cooler moments he had avowed the same doctrine; and it is nowhere more strongly enforced than in his "Thoughts on the present Discontents," where, among other forcible reasons, he stated that, "the House of Commons was not instituted to be a control *upon* the people, but a control *for* the people;" and further, "an addressing House of Commons, and a petitioning nation; an House of Commons full of confidence, when the nation is plunged in despair; in the utmost harmony with ministers, whom the people regard with the utmost abhorrence; who vote thanks when the public opinion calls upon them for impeachments; who are eager to grant, when the general voice demands account; who, in all disputes between the people and the administration, presume against the people; who punish their disorders, but refuse even to inquire into the provocations to them:—this is an unnatural, a monstrous state of things, in this constitution. Such an assembly may be a great, wise, and awful senate; but it is not, to any popular purpose, a House of Commons." These are the sentiments of Burke; and which would apply now with tenfold force.

It has been objected by the hon. gentleman (Mr. Grenfell) that no specific plan was proposed; but, Sir, at various times specific plans have been proposed, by Mr. Pitt, Mr. Flood, and others, none of which were acceded to; and now, when a motion is made, merely pledging the House to take the subject into consideration, this is made a ground of objection by those who are avowedly against all reform, and who would equally oppose any measure of a specific nature. We likewise see the old objection again resorted to,—that the reformers are not agreed among themselves. Nothing can surely be more futile than such objections. Would any man be so absurd as to contend, that, because there was some difference of opinion among physicians, no remedy whatever should be administered;—much less, that the case should not even be inquired into? If inquiry were never to be made until all the members of this House were agreed upon the precise measure that should be adopted, no advances could be made in public business; we should be debating without end;—and you, Sir, might remain in that chair for ever. How is it with any measure which the government is determined to carry?—Is this unanimity necessary?—Did all agree in the precise nature of the income tax? No;—the measure was discussed, and conflicting opinions were settled by the vote of the House. So would it be with the question of reform, if undertaken with sincerity; but it seems, in questions that are to add to the burthens and the grievances of the people, these difficulties are easily got over;—but in measures which propose to lighten their burthens, and to redress their grievances, they are insurmountable. The distresses of the people are not denied; but it is said, Will a reform in parliament remove them?—Will it give them employment?—Will it feed the hungry?—Certainly not: no man would contend that it could have any such instantaneous effect;—but, as our present difficulties have arisen for want of a watchful and vigilant parliamentary control, a reform would tend gradually to remove them, and to guard against their recurrence.

Gentlemen deprecate the extension of the elective franchise, and exclaim, What! would you let in the rabble?—Why, Sir, you have already got the rabble: it is the rabble who vote in most of the rotten boroughs;—while the people of property and respectability are excluded. But, even in the great and populous towns,—Liverpool, Lancaster, and various others that I could mention,—how many of the rabble have the right of voting; while the persons of property and respectability residing on the spot are altogether excluded, and cannot obtain, even by purchase, the right of voting. An apprenticeship to a waterman or master of a coasting-vessel confers that right, although the parties may reside at the extremity of the kingdom. By a petition presented this day from Liverpool, and now upon your table, it is stated, that two-thirds of the resident householders there have no votes, and that two-thirds of the voters are non-residents. Even in the city of London the freeholders have no votes;—nor even the resident householders, although citizens, unless they are also on the Livery. The county of Cornwall alone returns to parliament, exclusive of county-members, as many representatives as thirteen other counties:—and who will pretend to say that every borough in that county is not as corrupt as Grampound and Penryn? Sir, when these practices are brought to view, how do you propose to cure them?—Why, by extending the right of voting to the adjacent hundred; that is, by conferring the right of voting on those freeholders who already have votes, and allowing them to vote conjointly with the corrupt and perjured voters of the borough;—while the great majority of the respectable householders throughout the kingdom have no votes at all,—and some of the most wealthy and populous towns are totally unrepresented:—thereby, instead of allowing these boroughs to sell themselves, you turn them over to one man, who will sell them in the lump;—a condition infinitely more pernicious, degrading, and detestable.—It is said, however, that, if it were not for such boroughs, the commercial interest would not be represented in this House; but this, Sir, I deny; for, if the right of voting were transferred from rotten boroughs to populous towns, and manufacturing districts, an equal number of commercial men would be returned in a free and independent manner;—while, by the present system, they are compelled to buy their seats, and, in return, obtain an indemnity for the purchase, by selling themselves to the minister. The landed interest has its full proportion of members;—and, as for lawyers, we are so over-done, that we are devoured by them; —but, the objection is not so much to their being here, as to the way in which they come here, and the purposes for which they buy their seats. If reform took place, this House would not probably be filled with better or more enlightened members than at present; but, there would be this essential difference, that, obtaining their seats by the free suffrages of the people, they would feel an obligation to attend to the interests of those by whom they were elected, instead of their own. Talents, character, and property, would then have their due weight in the estimation of the electors; and we should no longer see men enter these walls, whose persons, or even names, were never before known or heard of at the place for which they take their seats, and with which they never had any interest or connexion.

Sir, a long course of ruinous measures, wantonly entered upon, and extravagant and boundless expenses, have so reduced the resources of this country, that if, unhappily, another war should be found necessary, there would be no means left to meet it. From whence came all this?—Can any member have the confidence to state, that, if this House had shown a watchful regard for the public interest, and acted with firmness and independence, the country could have been reduced to its present situation. The question now is, Will you look the evil in the face, and make a vigorous effort to retrieve the country?—Will you endeavour to effect a reformation, which you may yourselves guide and direct?—or will you wait until it be forced upon you, in a manner that you can neither resist nor control? The question can no longer with safety be postponed; and, unless this House will take timely and effectual measures to remove existing grievances, God knows whether any one will be allowed to sit here, or whether we shall have any house at all. Nothing short of a pure House of Commons, and a thorough reformation of abuses, can put the country into good-humour, and secure the affections of the people:—this, Sir, is the rooted conviction of my mind, and fire cannot drive it out of me. Am I to be answered, that such a reformation is impracticable;—that, to attempt it, would put to hazard existing establishments? Have, then, Sir, the abuses assumed so gigantic a shape, that it would be unsafe to touch them?—This would be an argument against further delay. Will it be said, that there are wild and extravagant notions afloat;—that the people are unreasonable in their demands? But, Sir, if the people are unreasonable,—if they do ask too much, is that a reason why you should do nothing? If you satisfy the honest and the reasonable, you would leave the factious and unprincipled to sink into insignificance, and no danger could be apprehended.

But, Sir, how are you to get rid of the question?—Can you persuade the people that no abuses exist? Will you pretend to say there are none? Can you prevail upon the people to abandon the pursuit of reform?—Can you, in short, contrive to set this question at rest?—Impossible! The people know how this House is constructed as well as you do: this question has been agitated, and gaining strength, for the last fifty years;—it has grown with the distresses and the burthens of the country, and is too well understood ever to be abandoned. I implore the House, then, to take this subject into its serious consideration:—apply a remedy to these abuses, and carry tranquillity and confidence to the people. Let the House search into the condition of the representation; and, if they are able to report (what, by the way, will be doing wonders) that such abuses do not exist, then indeed might the people be satisfied. But no, Sir, the abuse is acknowledged, and the remedy is refused. While redress is denied, we see exorbitant imposts demanded by ministers, and granted almost as a matter of course. They are opposed indeed by long speeches, which keep us here until three or four in the morning;—but nothing is done to alleviate the distresses of the country.—[Continued cheering].—Sir, I feel grateful for these marks of applause, as they have afforded me some relief at the present moment. I have been induced, by the kind indulgence of the House, to make larger drafts upon its patience than I at first intended:—I shall, however, only trouble you with two or three observations more. As, Sir, every member of the House, whatever may be his political feeling, or of whatever party, professes to support the constitution,—it only remains to ascertain what that constitution really is. Is it a part of the constitution to have a free representation of the people in parliament?—If that be the case, will it be contended that it would be unsafe to render it so? That, if freed from these abuses, the government could not stand? Is, then, the constitution a mere fanciful fabric,—beautiful only in theory,—existing only in name—that it requires the aid of influence and corruption to carry it into practice? If so, we ought no longer to venerate it;—instead of our regard, it would only call for our abhorrence. But, Sir, if this House really values the constitution;—if it be calculated to promote and secure the rights, the interests, and the liberties, of the people;—let us lose no time in freeing it from those impurities which threaten its destruction. The measure of reform must one day come upon us;—and I again implore this House not to shut its ears against the complaints of the people, by rejecting this proposition, but to give it all the attention and consideration which a question of such momentous and such vital interest demands.

Mr. *Martin*, of Galway, said, as the present motion was rather a notice of one to be made in the next session, he thought every argument on reform at present irrelevant. An hon. alderman had said, that his constituents, many thousands in number, were unanimously in favour of reform; but he pledged himself, if the worthy alderman would obtain for him a fair audience by those persons, that he would cause some of them to change their opinions. He had once spoken at Palace-yard against reform, and thanked the worthy baronet opposite for having then procured him a patient hearing. If those gentlemen who with him entertained opinions opposed to a reform in parliament were to attend popular meetings, their arguments would then be turned to more advantage than if delivered in this House.

Mr. *Hume* observed, that the greater portion of the people of Scotland were favourable to a moderate reform; and in compliance with the opinion of his constituents, he should vote for the present motion.

Mr. *Price* said, that although a friend to parliamentary reform, he was far from entertaining those wild notions which had thrown discredit on the subject. The present question, however, was one which he thought might safely be entertained.

Mr. *P. Moore* said, he would uniformly support any member who brought forward the subject of reform, and the oftener it was recommended to the attention of the House the better. Every great authority for the last 150 years had recommended parliamentary reform. Many years had elapsed since that House had voted, that the influence of the Crown had increased, was increasing, and ought to be diminished. If that resolution was well founded then, was it not much more so now, when the system of corruption was so far extended and so openly avowed? We went to war with France, to prevent the then growing spirit of parliamentary reform. The question ought to be constantly before the House in some shape or other, till the grand end was attained. He condemned the Foreign Enlistment bill, the prop of Old Spain against the liberties of the patriots in South America. If a reform had previously taken place, no minister would have dared to introduce such a bill into parliament.

Mr. *Tennyson* said, he should never bring himself to agree with those who believed the representation of the people in parliament to be in a condition which required no amendment. Nevertheless, he shrunk from the idea of administering any general reform, especially at a period when theories the most visionary and alarming were vehemently contended for out of doors. He could not therefore accede to the motion of the hon. baronet, for, so far from agreeing with a worthy alderman, who thought it would pledge the House to nothing, the House would, in his opinion, clearly stand pledged by it, to the early adoption, or at least consideration, of some organized and general plan. He considered it even more objectionable than a proposal, that the House should at once bind itself to a specific and exclusive mode of reform, because that might have appeared to supersede the necessity for any further discussion of various schemes and systems, either in or out of the House; but the resolution proposed by the hon. baronet, would excite the most absurd and dangerous suggestions, and possibly occasion very serious commotions in the country prior to the next session. Apprehensive, however, as he was of any sweeping and precipitate measure, he should ever cordially promote the most effectual application of all means casually arising, which, though partial in their immediate operation, might, with a constant and religious regard to the ancient landmarks of the constitution, gradually tend to a general and substantial reform. The cases of Barnstaple and Penryn, respecting which bills had recently been passed, and those of Grampound and Camelford then under investigation, afforded very desirable means of this description; but, he would ask, whether due advantage had been taken of such opportunities?—He wished also to inquire, upon what principle which had reference to ancient forms and practice, corrupted boroughs were opened to the neighbouring freeholders, on whom, gratuitously and unnecessarily, a double representation, in respect of the same freehold, was thus to be conferred? [Hear, hear!]—The nomination of members would, by such a disposition of the franchise, in many cases, devolve upon one or two considerable landholders, and he would submit, that if the principle of representation were worth any thing in the constitution, the more substantial and extensive interests of the country should on these occasions be provided for. He not only agreed with those hon. members who had urged that it would be a more beneficial, but he contended and would undertake to prove, that it would be a more constitutional course, entirely to disfranchise boroughs so situated, and transfer the right to the most important counties, or to considerable trading towns, according to the relative expediency of increasing the proportionate representation of the landed or commercial interest [Hear!]. This, too, he was persuaded, while perfectly safe in itself, would tend greatly to satisfy all persons who entertained legitimate and reasonable views on the subject of reform. Though Mr. Pitt, in consequence of events in France, and certain mischievous proceedings in this country, had abandoned his own plans of general reform, and afterwards resisted those devised by others, yet he had never retreated from his declaration, that some reform was highly desirable, provided it could be applied with safety; and that Mr. Pitt would have concurred in the adoption of such a course as he was anxious for respecting corrupted boroughs, no one could doubt who read the resolutions proposed by that distinguished statesman in 1783; for it was precisely what resulted from them, when they were divested of all that tended to an immediate and general reform of parliament. On such and similar incidental means and gradual measures he should probably be ever contented to depend, and with these limited and moderate views he must oppose the present motion. Even if he suspected that the manner in which he was disposed to proceed in future with regard to corrupted boroughs, had not the sanction of historical authority, or at least of constitutional analogy, he should not press it so earnestly upon the House.

Lord *John Russell* wished to state distinctly that he did not agree with those who opposed all and every system of reform. He agreed in the propriety of disfranchising such boroughs as were notoriously corrupt, and would give his consent to any measure that would restrict the duration of parliament to three years. He could not, however, pledge himself to support a measure that went the length of proposing an inquiry into the general state of the representation, because such an inquiry was calculated to throw a slur upon the representation of the country, and to fill the minds of the people with vague and indefinite alarms. The hon. baronet had complained that the reformers were represented to be wild and visionary theorists, and had called upon the House to state where those wild and visionary reformers were to be found? If the hon. baronet did not know where to find them, he would refer him to those persons who had advised him during the last session to bring forward his celebrated motion for annual parliaments and universal suffrage.

Mr. *Hutchinson* said, he supported the motion from a thorough conviction, that the House of Commons, as at present composed, did not afford to the people a full, fair, and impartial representation. He had anxiously watched the conduct of the recently-elected House, in the hope of finding there the faithful guardians of the public purse; but he was grieved to say, he had not discovered any improvement, nor a considerate and economical discharge of, perhaps, the most important trust with which individuals could be vested. He had heard language in the debate which had convinced him, that there did not exist that sympathy between the representatives and the people, that proud, and, he would call it, that happy feeling of dependence upon, and of connexion with, them, without which their rights and interests could never be cordially advocated and protected. The member for Newcastle-under-Lyme having boldly disclaimed being one of those who are guilty of the grave offence of ambitioning popular applause, thought that the hon. baronet had at all times lent himself too much to the multitude, and, in allusion to the meetings of the people, he had charitably stated, that the hon. baronet had availed himself of such a crisis to agitate the question of reform; and though unwilling to impute motives, he (Mr. Wilmot) could not help observing, that those meetings which he viewed in another light than of a seditious nature, co-existed, and seemed to have a strong connexion with such motions—motions which had, in his opinion, no other tendency than that of dissatisfying the people with their situation; and the hon. gentleman, at the same time, declared his unqualified distrust of all reformers, whom he accused of wishing to throw the apple of discord where they could, and who, whilst they professed the public good, were invariably found skulking behind the shield of their individual and private interests, and watching the opportunity to steal into the sanctuary of the state. How far this last observation applied to the hon. mover, and those enlightened statesmen of ancient and modern time, who were friendly to the principle of reform; or how far such imputation might not be retorted with tenfold effect upon those who so calumniated, it was not for him to pronounce. In the present acknowledged distress in all parts of these islands, he could not refrain from condemning any language which seemed to undervalue such distress, or such a total want of commiseration and prudence, as could unfeelingly apply epithets tending, not to soothe, but to irritate and inflame. If some members did not represent their money or their patron—if they participated in the feelings of the people—if they had a common interest, an indissoluble connexion, with them, such as, for the honour and interest of both, should exist, such language could surely not have been heard within the walls of parliament. True, there were meetings, numerous and frequent at this moment, but were they therefore "seditious" meetings? Were they produced by the hon. baronet's motion for reform? Had any speeches in that House created the universally-felt distress throughout the country? Was it this expected motion for reform which had run up the national debt to nearly 900 millions? that had induced the House, at a period of profound peace, and in the fifth year of that peace too, to impose three millions of new taxes upon the people, already pressed to the earth by excessive taxation? Was it the apprehension of this motion that caused the House to refuse the inquiry into the state of the nation at such a season of peril and alarm? which induced them to pass such a bill as the South American Enlistment bill? which induced them to keep up all the establishments to their present extravagant amount, and to negative every motion for retrenchment?—Another hon. member, while he admitted an enormously-increasing debt, increasing establishments, and the increasing influence of the Crown in the House of Commons, declared, that for 18 years he had held the same language, namely, his total want of confidence in all reformers, because they were not united in opinion among themselves, and had never been able to state what they wanted. As one of those who wished to see the House reformed—reformed by connecting the extension of the elective franchise with property—by shortening the duration of parliaments, and by curtailing the pernicious influence of the mercenary, and, in many instances, almost depopulated boroughs—he would state what he wanted. He desired to see an honest, full, and fair representation of the people, which he flattered himself could not fail to produce decreased taxation, and decreased influence. It was because he was as fully convinced as any man of the positive, substantial, and unequivocal blessings enjoyed under the constitution of King, Lords, and Commons (blessings and privileges to be found, perhaps, in few other states), that he was disposed to apply correctives in time, in order to restore and preserve a constitution, in principle equalled by none. He did not desire to pull down, but to repair. He wished to see the House of Commons purified by a rational, practical, and temperate reform, connected with the true constitutional principles of reform, *Property*. And, as it had been well stated early in the evening by a noble lord (Tavistock), he too wished for such a reform as would be radical in the correction of the abuses which had grown up in our existing institutions. He required no authorities to justify the vote he meant to give, though such might be cited in abundance; nor was he afraid of having his motives questioned; therefore he should not detain the House by any explanation of them. The motion went merely to pledge the House to inquire into the state of representation in the next session of parliament, without binding it to any specific measure. For himself, he was neither for universal suffrage nor annual parliaments. Who those persons are, so desirous as an hon. member would insinuate, to persuade the people that the "rich were not their friends, but their enemies," the gentleman had not explained. There seemed, indeed, a very prevailing inclination, and a kind disposition on the part of several who opposed the motion, to advise and lecture the hon. baronet; and surmises and insinuations had been generously thrown out, as to the tendency of such motions, and the possible motives from which they originated; though it was admitted, without the consciousness of the hon. mover, as to the impelling cause for the agitation of such questions, big at the same time with such mighty danger, not only to the House of Commons, but to all the constituted authorities of the state. He (Mr. H.) did not support the motion as a "sovereign panacea" for all complaints, but as likely, in its operation, to restore health and vigour where disease and corruption had already taken strong hold, and threatened to destroy, if not speedily eradicated. It was the rejection of such motions, and not their agitation in, or adoption by, the House of Commons, that, in his (Mr. H.'s) opinion, might convert the meetings of the people into dangerous associations—meetings which were recognised, respected, and even wisely courted by the constitution. After what had fallen from another member (Tennyson), he (Mr. H.) was sorry to know, that he should incur that gentleman's displeasure, and he apprehended that of the independent electors of Grimsby, in venturing to advocate a measure in such bad company as in that of the inhabitants and electors of the poor, ignorant, unthinking people of the contemptible, depopulated city of Westminster, who stood so low in public esteem, for having repeatedly sent to the House of Commons, as one of their representatives, so time-serving, necessitous, unenlightened an individual, as the hon. mover, who was so notorious for looking up to every administration for countenance and support, who had nothing to lose, but every thing to gain, by a reform in the House of Commons—by such a reform as would produce the terrible and revolutionary effects of extending the elective franchise to some of the most populous towns of the empire; as also, in Newcastle-under-Lyme and Grimsby to many of the wealthy and perhaps most respectable, but at present non-franchised inhabitants of those places! Who more interested in such a change than the hon. baronet? who, instead of continuing as he is at present, a poor, pennyless, troublesome, designing patriot, would all at once, in the general confusion, become rich, powerful, and somebody in the state, nay, possibly obtain the distinguished honour of sitting in the House of Commons for Great-Grimsby, and represent all its famed purity and patriotism! Yet, strange as it may appear, notwithstanding all this, he (Mr. H.) had resolved to support the hon. baronet's motion, neither awed by the frowns, nor intimidated by the sarcasms of those who, profusely dealing in every charitable insinuation, opposed this and every other attempt to reduce expenditure and reform abuse; nor was he ashamed to own that he ambitioned nothing so much as to merit the people's confidence, and live in their affections. He had unhappily witnessed in his own ill-fated country the lamentable consequences of a heedless, dishonest representation, and of an obdurate, profligate government; he would advise gentlemen to take warning by the state of Ireland. It was most unwise, instead of thoroughly examining into the causes, to deny the discontents of the people. The very disposition to afford redress would essentially tend to tranquillize and reconcile—the people conceive that an improved state of the representation would be beneficial to them—the present defective representation they consider as one of the national diseases. They do not want to disturb the pillars of the state, but to strengthen and ornament the venerable and respected fabric. Had the Irish House of Commons been vigilant, economical, and honest, the government had never been extravagant and oppressive. It was not the people there who combined against the state; but it was a stubborn unblushing system of continued refusal, accompanied by insult, a shameless combination of oppression and corruption, that drove the people to madness, and completed the ruin of that country. Had the parliament of Ireland attended in time to admonition and remonstrance—had they watched and checked the government—had they acted for the good of the people, and the honour of the Crown—had they been the faithful guardians of the public purse, the intrepid champions of the people's rights—equally persevering and undaunted in their opposition to what was wrong, as in the defence of what was valuable in the state, the rebellion of 1798 had not occurred, and Ireland would not now have to lament a rapidly accumulating debt, an increasing absentee list, a legislature far removed, and a House of Commons so composed, as to leave all the local concerns, in a great degree, to the protection of strangers for the most part ignorant, and not unfrequently distracted by conflicting, and in some cases, even entirely opposite interests; but by an obstinate denial of justice, by constantly refusing relief, by continued persecution, by mocking the people's sufferings and putting them at defiance, by crying out innovation, when a despised, calumniated, and much harassed people, desired but protection and justice; by such conduct, he had seen in his own country, her parliament bought and sold, the land impoverished and degraded, a provoked and desolating rebellion; until the same insolent and triumphant majorities, acting under the control of corrupt and designing ministers, after having long and obstinately denied the existence of any grievance, and refused the people redress and kindness, betrayed their sacred trust, and consented to have their country blotted out from among the nations of the earth, and to be becoming a degraded and dependent province of the empire.

Mr. *Byng* said, he would not be deterred from supporting this question, because it was brought forward by an hon. baronet, who, by his conduct, had made himself very unacceptable to many members in that House. This he said with sincere regret, on account of the high respect he entertained for him. The hon. baronet had not shown himself a friend to parliamentary reform; on the contrary, he was very much its enemy, and had prevented many, who had formerly favoured the question, from latterly giving it their support. The hon. baronet, by separating himself from the gentlemen of the country, had done injury to himself and his cause; because he must be aware, that no great object had ever been obtained without the concurrence of the aristocracy of the realm.

Sir *Francis Burdett* replied as follows:—After the able support which the motion has received, and the very little argument which has been advanced against it, I have but few remarks to make. I am well contented that the question should stand before the public in the way in which it will be presented to them by this debate. In respect to the hon. member for Herefordshire, who has given me the advantage of his testimony to my good conduct, I feel a full sense of the obligation; and for the small degree of support which he seems inclined to give to reform, I beg leave to assure him, in the language of those who receive charitable contributions, that the smallest donation will be thankfully received.—As to the member for Middlesex who is pleased to say, that he considers it a great misfortune that I have disconnected myself with the aristocracy of the country, I can only say, that I cannot attribute it to any fault of my own, but to their desertion of those principles which alone can restore happiness and liberty to this country: it has been owing to those who suffer the differences of public opinion to disturb and embitter the relations of private society, and not to any feelings of animosity on my part. My endeavour has always been to persuade the aristocracy that their real interest consisted in being the leaders and supporters of the rights of the people; and I can only lament that this has proved any cause of offence.—The noble lord (John Russell) has thought proper to stigmatize, as wild and visionary, those resolutions for reform which I moved last year. One would suppose that there was some magic in these words, which are repeated over and over again, which are made to stand in lieu of all argument, and seem to be considered as a sufficient answer to every plan of reform on every occasion. The noble lord would do more credit to his talents and candour, and I intreat him to undertake the task, if he would point out the defects, either in the principles or in the reasoning employed in those resolutions, and I can assure him that he will find no one more willing or more ready to become a convert to the truth, when proved to be so, however different from any opinions I have hitherto entertained; but it is a little too much in the noble lord to expect that men should resign their reason and judgment, the result of much laborious investigation, from the mere apprehension of the unmeaning cry of wild and visionary.—The hon. member for Galway has been pleased to compliment me, for having procured him, as he says, a hearing from a meeting of the electors of Westminster some time since. I can assure the hon. gentleman that the compliment is unmerited by me; it is justly due to the electors of Westminster, who, I will venture to say, will at all times pay attention to any gentleman who attends their meetings, and conducts himself in the manner that the hon. member did.—The hon. member for Newcastle (Mr. Wilmot) has, I think, been peculiarly unlucky in the whole of his speech, and more particularly in his historical allusions, endeavouring to prove, from the insolence and folly of the language of a misguided king, the slavish state and condition of the people of England, without recollecting that that same king, for his usurpation upon the liberties of the country, and the violence of his conduct, ended his career by losing his crown and his life: I should, therefore, have rather adduced the example of that king, in aid of my argument, to prove the vigour and energy with which our forefathers resented any violation of the constitution, than have expected to hear it employed as a proof of their base and abject condition.—In answer to what has been said on different plans of reform, and which are practicable or impracticable, my opinion is, that the most practicable is that which obtains the greatest number of honest supporters; and to such a plan I shall be always ready to lend my assistance. I am happy to state, that the press has communicated many circumstances connected with this subject to the public with the greatest ability. An impulse has been given to the public mind, which will be long felt, and not easily forgotten; and, whatever may become of the present question, I am convinced, that the cause of reform will ultimately meet with the success which it so justly merits.

The question being put, "That the other orders of the day be now read," the House divided: Ayes, 153; Noes, 58.

*List of the Minority.*

Anson, hon. G.
Browne, D.
Barnett, J.
Benyon, B.
Brand, hon. T.
Byng, G.
Calcraft, John
Carter, John
Clifton, lord
De Crespigny, sir W.
Denman, Thos.
Dundas, hon. T.
Dundas, hon. C.
Ebrington, visct.
Foley, Thos.
Fellowes, hon. N.
Fitzroy, lord C.
Fergusson, sir R. C.
Graham, Sandford
Gurney, R. H.
Harvey, D. W.
Hutchinson, hon. H.
Hume, Jos.
Kennedy, T. F.
Lamb, hon. G.
Lemon, sir W.
Lloyd, sir E.
Longman, G.
Martin, sir T. B.
Madocks, W. A.
Maxwell, J.
Martin, John
Moore, Peter
Becher, W. W.
Bernal, R.
North, Dudley
Nugent, lord
Osborne, lord F.
Pringle, John
Palmer, C. F.
Pares, Thomas
Price, R.
Ponsonby, hon. F. C.
Phillips, C. M.
Robarts, W. T.
Robarts, A. W.
Ricardo, David
Russell, lord Wm.
Sinclair, Geo.
Spencer, lord R.
Smith, John
Smith, W.
Stewart, W.
Tavistock, marquis
Thorp, alderman
Waithman, ald.
Williams, Wm.
Wood, ald.
Wharton, J.

TELLERS.

Burdett, sir F.
Wilson, sir Robert

PAIRED OFF.

Bennet, H. G.
Ellice, E.
Fitzgerald, M.

DISSENTERS MARRIAGE BILL.] Mr. W. Smith having moved the commitment,

Lord *Castlereagh* urged the propriety of not pressing the bill further in the present session. He wished not to express any decided opinion as to the measure; but it was to be remarked, that it only gave relief to one class of persons, who objected to the present marriage ceremony—the Protestant dissenters, and not to the Catholics, who also objected to it.

Mr. *W. Smith* repeated the statement which he had made when he first proposed the measure, to show that an object, which was allowed to be desirable, was obtained in an unobjectionable manner; the relief granted to one class of dissenters being afforded without prejudice to any other class, or even to the most rigid friend of the church of England. A part of the ceremony was to be left out when certain persons requested it. In the part that remained of the ceremony, not one word was altered. The Romish dissenters, it was said, objected to the ceremony *in toto*, but they were not placed in a worse situation by the bill; on the contrary, a door was opened for that relief which they were entitled to. As, however, it would be vain for him to hope to pass it at present, after the declaration of the noble lord, he should withdraw it, with the intention of submitting it in the next session.

Dr. *Phillimore*, without objecting to the end to be attained, suggested that the bill was open to two objections—1st. That by stripping the ceremony of all its religious part, it might be regarded with less reverence by the members of the church; and 2d, that the clergy might feel conscientious scruples in performing a ceremony which they were accustomed to consider as a religious one, thus degraded into a mere civil ordinance.

Sir *J. Mackintosh*, after recapitulating the objections of Dr. Phillimore, observed, that the first of those objections appeared to him rather singular, since nothing could more tend to lessen and degrade a ceremony than the knowledge that persons conformed to what they did not believe, and uttered, under the form of devotion, words in which their hearts did not join, and to which in their consciences they felt invincible repugnance. The idea which gave weight to the ceremony, was the belief that it was a voluntary and conscientious declaration of the feelings, and a compulsory insincerity could only weaken the aid that religion and the law gave to this solemn engagement. He was rather alarmed at the principle contained in the second objection. The marriage ceremony, and the other rites of the church of England were established by the act of authority, and the power which ordained could require (though it would not do it without deliberation) that those ceremonies should not be performed in certain cases. Religion was the relation of man to his Creator, but an established church was the creature of civil policy.

The bill was ordered to be committed that day three weeks.

STOREKEEPER GENERAL'S DEPARTMENT.] Mr. Hume laid on the table of the House the following

### RESOLUTIONS RESPECTING THE STOREKEEPER GENERAL'S DEPARTMENT.

1. That it appears, that prior to 1808 the business of the Storekeeper General's department was transacted under the direction of Mr. John Trotter, of Soho square, and that his total expenditure for the same, for a period of fifteen years, of which thirteen years were in time of war, and which expenditure included all pay for establishments and contingent charges of every kind, such as insurance, freight, carriage, rent, salaries of agents, repairs of returned stores, packers charges, &c. was 252,939*l.*, or on an annual average 16,862*l.*

2. That it appears, that the present department of storekeeper general was established in 1808; and that the expenditure for that year for his establishment alone was ........ 6,925
And that the expenditure for that year for contingent charges was .. 23,749
Say, for travelling expenses, packing charges, porters wages, stationary, postages, and rent of offices and warehouses, forming a total of .. 30,674

And making an excess of expenditure over that of last year of 13,812*l.* independently of the annual value of two wharfs and warehouses (Wiggins's quay and Fresh wharf) belonging to government, and given up to the storekeeper general, and the annual worth of which may be estimated, at the most moderate computation, at per annum 5,000*l.* as Fresh wharf and warehouses alone after Mr. Trotter left them, were let by public auction for 3,067*l.* per annum.

3. That it appears that the Storekeeper General's Expenditure for 1809, was, for his establishment alone ........................ 7,591
And that for the same year his contingent charges amounted to ..... 49,212
Amounting together to ...... 56,803

And forming an increase on the expenditure of the preceding year of 20,129*l.*, independently of the annual rent of the two wharfs and warehouses estimated as aforesaid in (No. 2.) at 5,000*l.*:

4. That it appears, that his expenditure for 1813 was, for his establishment alone .................. 12,645
And that for the same year his contingent charges amounted to .... 122,904
Amounting together to ..... 135,549

5. That it appears, that his Expenditure for 1816 was, for his establishment alone .................. 21,138
And that for the same year his contingent charges amounted to .... 120,698
Amounting together to ...... 141,836

6. That it appears, that his Expenditure for 1817 was, for his establishment alone .................. 21,418
And that for the same year his contingent charges amounted to .... 72,470
Amounting together to ...... 93,888

7. That it appears, that his expenditure for 1818 was, for his estab-

| | |
|---|---|
| lishment alone | 21,647 |
| And that for the same year his contingent charges amounted to | 52,032 |
| Amounting together to | 73,679 |

8. That it appears that the amount of stores bought by the commissariat, and delivered to the storekeeper general amounted

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|---|---|
| in 1816 to | 59,448 |
| in 1817 to | 37,318 |
| in 1818 to | 56,563 |
| Total | 153,329 |

And that the amount of the stores sold by order of the storekeeper general, amounted

| | |
|---|---|
| in 1816 to | 48,766 |
| in 1817 to | 86,986 |
| in 1818 to | 42,283 |
| Total | 178,035 |

And that the expenses of the storekeeper general's department amounted

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|---|---|
| in 1816 to | 141,836 |
| in 1817 to | 93,888 |
| in 1818 to | 73,679 |
| Total | 309,403 |

So that the expenses of the storekeeper general's department for these three years amounted to 156,074*l.* more than the value of the stores purchased by government (say to more than double the amount of those stores) and to within 21,900*l.* of the joint amount of the stores bought and sold by government, although the stores sold in these three years amounted to two thirds of all the stores sold by the storekeeper general during a period of eleven years.

9. That it appears that seven deputy storekeeper generals and assistant storekeeper generals have been placed on half pay, although none of their services extended to a period of four years, and the services of one of them to a period of one year and four months only; whereby the country has already been subjected to an annual expense, during the lives of many young men, of 722*l.* 7*s.* 11*d.*:

10. That it appears, that the establishment of the storekeeper general has been, from its institution, exorbitant, and is at present wasteful and extravagant, altogether disproportionate to a time of peace, and to the duties to be performed by it; and that therefore it ought to be reduced to an economical and efficient establishment, proportionate in expense to what the storekeeper general's department was before 1808.

The first Resolution being read, the debate thereupon was adjourned till Monday.

## HOUSE OF COMMONS.

### *Friday, July 2.*

THE DUKE OF KENT'S LOTTERY.] Mr. Alderman *Wood* brought up the report of the committee on the duke of Kent's petition, which stated that the petitioner had not obtained any parliamentary allowance till he was 32 years of age, and that previously to that time he had been put to considerable expenses and subjected to heavy losses in Canada, and compelled to contract considerable debts, and to raise money by way of annuity; but that by subjecting himself to the strictest economy, and living in foreign parts, he had reduced his debts to 70,000*l.* That to discharge this sum, he was anxious to dispose of the property of which he was possessed; that the only part of his property which he was enabled to dispose of, was his mansion at Castlebar-hill, and the furniture, which was valued at 50,000*l.*, but which in the present state of the market, could not be sold but at a considerable loss. That he was willing, however, to sell this property rather than that the payment of his creditors should be longer delayed, or his royal consort be compelled to submit to privations; as he was desirous that no part of the allowance granted him by parliament should be expended in foreign parts, and that his daughter, newly born, should be from her earliest years educated in the language and customs of this country. He therefore prayed that he might be allowed to dispose of this property by way of lottery.

Mr. Alderman *Wood* said, that in moving to bring in a bill he should offer a few words. This lottery was not open to the objections to which lotteries in general were liable. The property to be disposed of in this case was of the full value stated in the petition. He was assured from the highest authority that it had cost 120,000*l.* The gentlemen opposite to him might object to it, because the sale of the tickets of the state lottery might be injured; but he assured them that this would not be the case; for such was the popularity of the duke of Kent in the city, that the tickets might be said to be already sold. There were persons would be ready to advance the whole sum on the passing of the bill. Why did the character of the duke of Kent stand so high? Because he had raised dormant charities, and created an immense number of new institutions. He was at the head of every institution connected with poverty and disease, and aided them not by his name only, but by his constant labour and attendance. After detailing the several precedents for a lottery of this kind, the worthy alderman concluded with moving for leave to bring in a bill.

Mr. *Grenfell* felt it his duty to resist this proposition, upon this ground, that its adoption would serve to create a very improper precedent; for if the duke of Kent were authorised by parliament to dispose of his property by lottery, what was to prevent any individual from applying to parliament for an act to authorize the disposition of his private property in the same way, instead of resorting to the ordinary means of sale in the general market; and the consequences likely to result from the toleration of such a system, were of such a nature as he did not think it necessary to describe.

Mr. *Hume* hoped the House would give him the opportunity of offering that explanation which the part he had taken enabled him to give, both of the motives which actuated his royal highness to take the course he had done, and the measures which had been actually taken. Having enjoyed the friendship of his royal highness for ten years, and been intimately acquainted with his public conduct and private affairs, what he should offer as to the transactions of that period, he could pledge himself for, and he should state no prior transactions that could be contravened. On the 10th ult. (said Mr. Hume) I waited on the chancellor of the exchequer to inform him, that the duke of Kent had been advised to apply to parliament for leave to allow his trustees to dispose of his house and lands at Castlebar-hill, by lottery. The chancellor desired a memorial to be laid before the Treasury by the duke for their sanction. This was done, and by orders of the Prince Regent referred to the lord chancellor and others of the privy council, who disapproved of the plan, alleging that it would be a most dangerous precedent. A second memorial was presented with like success, and the chancellor candidly informed the gentlemen who waited on him that they would leave the bill to the House. If the decision had been founded on fact, he should have bowed to the decision: but he contended, that the precedent of the Adelphi, Pickett-street, and Sunderland bridge lottery were in point, all to enable trustees to raise money to pay off debts. He would add, that the Pigot diamond had been sold by a lottery granted to a private subject. Was it, then, because the duke of Kent was the petitioner on this occasion, that the House would refuse the request? Would they refuse to him what had been granted to others? The duke only asked for the lottery to enable him to pay off debts contracted under circumstances which he could neither direct nor control. He was confident the history of the duke's difficulties were not known, or they would influence gentlemen to think differently of the course now adopted by that illustrious individual. He should, as shortly as possible, put the House in possession of the facts. The duke, in 1785, at the age of 18, left England for Hanover, where he joined the Guards, and served with them for two years; he then went to Geneva, where he studied for two years. Whilst abroad, he met with his countrymen, whose society he naturally courted, and whose habits he naturally followed. The duke was only allowed, during these four years, two pistoles a week. He did not intend in any way to reflect on the parental conduct of the king in keeping the duke at this time of life so short of money; but the fact was so, and the consequence that followed may be easily anticipated by every gentleman. The duke got in debt, and could not do otherwise. At the age of 23, therefore, he had contracted debts to the amount of 20,000*l.*, which he expected to pay off from the first parliamentary allowance, which he expected to receive at the age of 24. In 1790, the duke was appointed to the queen's regiment at Gibraltar, and joined accordingly, without receiving any allowance whatever as an outfit. In 1791, he embarked with his regiment for North America, where he remained with his corps until 1794, when in January he received the commands of his majesty to join the forces then under sir Charles Grey, in the West Indies. He did not delay as many would have done, under all the difficulties of the season and the country, to travel, but proceeded by land across to Boston, and embarked with considerable hazard for Martinique. In this journey, all his baggage was lost in one of the lakes, and he was put to very great expense to re-equip himself for the service he was on. After the termination of that campaign, expensive as it was honourable to him as a soldier, he returned to Halifax, and being appointed a major-general on the staff, served there till Oct. 1798, when a fall from his horse obliged him to return to England for his health. On an allowance of 5,000*l.* a year which he received, and of which he was paying 1,000*l.* or 1,500*l.* a year as interest of his former debts, it is easy to conceive the rapid accumulation of his pecuniary difficulties. In 1799, he returned to Halifax as commander-in-chief, having then first obtained his parliamentary allowance of 12,000*l.* His majesty, as he (Mr. H.) was assured, had promised to pay the debts of the duke contracted from 1785 to 1790; but owing to his absence on the service of his country, and various unfavourable circumstances at the time, that was never done, and all the exertions of the duke could not discharge the debt. Ill health compelled his return in the following year to England, having lost baggage and military equipments to the amount of 23,000*l.* In 1802, his majesty appointed the duke to the command of Gibraltar, as a reward for his military services, and he joined the garrison accordingly. The duke was sent out to Gibraltar, with special instructions, and he had a difficult duty to perform, to reclaim the troops to habits of sobriety and discipline; but he did effect the object, though attended with symptoms of mutiny in part of the troops. By the suppression of the public-houses, to repress the drunkenness, he reduced the fees of the governor from 6,000*l.* to 2,000*l.* a year. He had been promised before he left England, that any sacrifice of emolument that the duke might make, to accomplish the discipline and sobriety of the garrison, should be made up to him. But that had never been done. During the nine years previous to, and including the year the duke commanded at Gibraltar, the average fees received were 7,000*l.* a year, and the duke, whilst absent, was fairly entitled to one-half, or 3,500*l.* a year for the 16 years past. But he has not got one pound, although his share amounts to 56,000*l.* Now, I would ask, what has become of those fees since the duke's departure? Was it unreasonable for the duke of Kent to ask from this fund to be placed on the same footing as other governors are placed? Mr. Pitt had promised to take the claims of the duke into consideration, but his death, and the indisposition of his majesty, had prevented any thing being done. In 1815, the duke urged his claims for the arrears of his parliamentary allowance and fees from Gibraltar, but without success, and seeing no hopes of any aid but from his own resources, he did then nobly and honourably resolve, by economy, to pay off his debts. Of the allowances of every kind which he received, he gave 17,000*l.* a year to pay his debts, and lived on 7,000*l*, a year for the three years that followed, and until his marriage, which altered his establishment. If the duke of Kent were now placed on the same footing as to parliamentary allowance, as the duke of Clarence, elder only by two years, he would have to receive 96,000*l.* or 12,000 for eight years, from the age of 24 to 32, when he did not receive any. If he were placed on a footing with the duke of Sussex, he would receive 29,000*l.* As all these applications had failed, his own retrenchment has extinguished half of his debt; but being married he cannot live on the same reduced establishment as he did before. Having conveyed to trustees the house and grounds of Castlebar-hill, valued at a sum equal to all his remaining debts, he was anxious to have that property sold for the benefit of his creditors, and as the trustees had not been able to sell it at a fair valuation in the ordinary way of sale, he had been strongly advised to dispose of it by lottery, never doubting that this House would refuse to him what it had granted to others for like purposes. He did not approve of lotteries, but he considered the present plan as free from almost all the evils incumbent on money-prizes.

Lord *Castlereagh* observed, that if the present motion were agreed to, he knew not where the practice of lotteries for the disposition of private property could stop. It could not possibly be imagined that any disposition existed to make an exception to any proposition, because that proposition was agreeable to the wishes, or favourable to the interests of a prince of the blood; but really, the present proposition was of this peculiar nature, that he was the more disposed to resist it because he would not in such a case consent to establish a precedent in the person of a member of the royal family. The worthy alderman had indulged in a panegyric upon the exertions of the royal duke to promote the interest of public charities. But no judicious friend of his royal highness could possibly advert to those exertions, with the view of making an appeal to the eleemosynary bounty of the public, or to interest their feelings, so as to induce them to purchase tickets in the proposed lottery. This, indeed, was not the course becoming the advocates of the duke of Kent. But he was peculiarly sorry to hear the statement into which the hon. member had thought proper to enter, and he was quite at a loss to imagine upon what authority that hon. member had ventured to insinuate that there was any undue partiality in the mind of his majesty towards any one of his children. Nothing could be more ungracious than the invidious contrast which the hon. gentleman had drawn between the treatment of the duke of Kent and that of his other brothers. If it were deemed necessary to submit such a question to the consideration of parliament, it would have been much more appropriately brought forward when the advanced allowance to the several members of the royal family was under discussion, or when a further advance was made to the duke of Kent upon his marriage. Having omitted to bring forward this subject on either of those occasions, it appeared to him really too bad to press it unexpectedly upon the attention of the House, on a motion of this nature. The revenue of the duke of Kent at present was little short of 32,000*l.* a year, which was about 11,000*l.* a year more than that enjoyed by his elder brother, to whom, according to the hon. gentleman, an undue partiality was manifested. The noble lord concluded with expressing his conviction that the best friends of the duke of Kent would lament much what had been said that night, and that they would revolt at the idea of proposing the present measure as a mode of rewarding his royal highness for his exertions in favour of public charities.

Mr. *Forbes* expressed his regret that the case of the duke of Kent did not meet with more attention from that House. But whatever might be the fate of the motion under discussion, he trusted that the mover and seconder would not fail to bring forward, early in the next session, some distinct proposition for compensating the duke for the various losses which he had suffered in the service of his country. The whole of the conduct of this illustrious personage was what became an honest and patriotic Englishman. Such was the partiality of his royal highness to England, that he had come home, much to the inconvenience of his beloved princess, and at an expense of perhaps 2 or 3,000*l.*; in order that his child should be a native of this country.

Lord *Lowther* expressed a hope that the hon. member would withdraw his motion, as the discussion of such a motion could only serve to cast discredit upon the royal family.

Mr. Alderman *Wood* disclaimed the idea of bringing forward this measure with any such view as that of rewarding the duke of Kent for his exertions in the cause of public charity. For those exertions, his royal highness was entitled to a higher and more dignified reward. But his royal highness himself had, in fact, no concern whatever in bringing forward this measure; for it was pressed upon him (alderman W.) by others; namely, by the trustees for liquidating the duke's debts. The worthy alderman concluded with expressing his consent to withdraw the motion.

Lord *Castlereagh* was glad to find that the illustrious personage alluded to was no party to a measure of this nature.

The motion was withdrawn.

CAMELFORD ELECTION.] After a long and desultory conversation, the report of the committee on the Camelford Election was deferred till Monday; and it was ordered, on the motion of Mr. D. W. Harvey, "that the Speaker do not issue his warrant for a new writ before Monday."

## HOUSE OF LORDS.

### *Monday, July 5.*

POOR-RATES MISAPPLICATION BILL.] The Marquis of *Lansdowne* briefly stated his objections to the bill, as tending, in the first place, to cause a considerable increase of expense in providing proper accommodation for the children, who were to be taken from their parents; and in the next place, to encourage improvidence and profligacy by refusing relief to persons who struggled to bring up their families in decent and moral habits, and giving it to those who, through improvident marriages or profligate habits, either were unable to maintain their children, or gave them nothing but a vicious example, and refused them a proper support. But his last, and strongest objection was, that the bill, by taking away children from their parents, tended directly to destroy those ties of affection which knit together the families of the poor, and upon the social relations resulting from which the well-being of society mainly depended. To the bill in its principle he must decidedly object, and would therefore move, "That it be read a second time this day three months."

The Earl of *Harrowby* thought, that the additional accommodation required for the children might, in most parishes, be provided at a moderate charge. It was of the utmost consequence that the children of profligate parents, who had nothing before their eyes but continuat scenes of vice and immorality, should be removed from the corruption of such an example, for the purpose of having that education given to them which might render them useful members of society; and as to breaking the ties of affection, they would be so immediately in the neighbourhood of their parents, that all their domestic relations might be preserved unimpaired.

The Earl of *Liverpool* characterized the measure as one of doubtful utility, it being very problematical whether it would do more good or harm; and therefore he thought it much better not to try the experiment. It had been said that this measure, though causing considerable adpitional expense at first, would ultimately lead to an economical expenditure of the poor-rates. But, in every project that had been presented to him, it had always been stated, that though a considerable additional expense would be at first incurred, yet economy would be the result; and the continual repetition of similar promises had rendered him very suspicious of any measure where such a promise was held out; let economy be the first result, and he should be disposed to pay more attention to it.

The motion was agreed to.

## HOUSE OF COMMONS.

*Monday, July 5.*

GRAMPOUND BRIBERY INDICTMENTS.] The Grampound Bribery Indictments were considered in a committee. After which, the House being resumed, the minutes of evidence were ordered to be laid on the table.

Lord *John Russell* said, that with respect to the case before the House, as the greater part of the evidence had long been printed, and the remainder had just been heard by the House, he had no difficulty in now submitting to the House the two following resolutions: 1st, "That it appears to this House, that such a notorious system of corruption has prevailed in the borough of Grampound, as to call for the serious consideration of this House." 2nd, "That this House will take the same into consideration at an early period in the next session of parliament." That a notorious system of corruption had prevailed in the borough of Grampound, must be evident to every one; indeed, so strong a case was hardly ever brought before parliament. On this subject it was therefore unnecessary for him to occupy the attention of the House. But with regard to the second resolution, pledging the House to take this case into their consideration early next session, he had a few words to say. Since the period of the Revolution, time had made in our constitution two great innovations. In consequence of parliament having become so great a power, seats in that House had become more valuable, and a much greater degree of competition for those seats had naturally taken place; and hence some of the smaller boroughs had become the seats of corruption. This fact had been acknowledged by the House in three cases at different periods of time, in which the House had thought proper to establish as a principle, that the notorious existence of such corruption was a sufficient ground for their interference, and had endeavoured to remedy the evil by extending the right of voting to the adjoining hundreds. The other innovation was, that great cities and towns had since grown up, in consequence of the extension of our commerce and manufactures, which were not represented, but which ought to be represented as well as the other cities and towns that were represented before the Revolution. But the principle of admitting the unrepresented large towns into a share of the representation had not yet been adopted by the House. What he should propose next session, would be founded on the two principles to which he had alluded; namely, that of destroying corruption in the boroughs in which it existed, and giving the right of voting taken from them to other bodies of men, who possessed such a stake in the country as to entitle them to a voice in the naming of those who had to watch over their interests, and whose numbers and interest in the general welfare of the country, would secure them from corrupt influence. In admitting this principle, he conceived the House would not be admitting any dangerous plan of reform. When, in former cases, the House had given the votes of the disfranchised boroughs to the adjoining hundreds, it had always been said, that the freeholders had no more right to this vote than any other persons who were not represented in the House; and this argument was unanswerable; for the only ground on which the franchise could be given to the adjoining hundreds was that of general expediency, under the hope (which had turned out to be well founded), that the measure would prove a remedy for the evil. With the same hope he should propose, that the elective franchise should be transferred to counties or towns in which there were large bodies of men possessed of great wealth who had hardly any representatives in that House. The noble lord concluded with moving the two resolutions already given, which were agreed to *nem. con.*

GRAMPOUND ELECTION—MR. ALEXANDER LAMBE.] Mr. *Wynn* called the attention of the House to the conduct of Alexander Lambe, a witness examined in the case of Grampound, with which the House had recently been occupied. This witness had not only contumaciously refused to answer several questions put to him, but had also taken upon him to destroy a material document respecting the late election, after his first examination. It would be necessary for the House to adopt some measure to prevent the recurrence of acts of this nature; otherwise, at every step of an examination, a witness would feel himself at full liberty to destroy any document, however material to the investigation. The hon. gentleman concluded with moving, "That Alexander Lambe, esq., since his first examination before a Committee of the whole House, to whom it was referred to consider of the extracts of indictments against sir M. M. Lopez and others, for bribery at the late election for Grampound, having destroyed a material document relative thereto, has been guilty of wilful suppression of evidence, and a high contempt of the authority of this House."

After a short conversation, the motion was agreed to, and Mr. Lambe was ordered to be taken into the custody of the serjeant at arms.

## HOUSE OF COMMONS.

### *Tuesday, July* 6.

GRAMPOUND ELECTION—MR. ALEXANDER LAMBE REPRIMANDED.] Mr. A. Lambe was brought to the bar, where he received the following reprimand from the Speaker, and was discharged out of custody, paying his fees:

"Alexander Lambe, this House yesterday came to a resolution, That you, since your first examination before a committee of the whole House, to whom it was referred to consider of the Extracts of Indictments against sir. M. M. Lopez and others, for bribery at the late election of burgesses to serve for the borough of Grampound, having destroyed a material document relative thereto, have been guilty of wilful suppression of evidence, and a high contempt of the authority of this House.—This is an offence of the most serious and grave nature, both as affecting the dignity of this House and the ends of justice; and had this offence been committed by you with the deliberate intention of impeding the examination now in progress, it would have been the bounden duty of this House to have punished it with the utmost severity.—But in proportion as this act, if committed with such a view and such intentions, would have been disgraceful to yourself, and in contempt of every feeling of principle and honesty, in the same proportion this House is most anxious to attribute your conduct to other motives which may have actuated you, and which may explain and extenuate; and believing that the destruction of this instrument has been committed not with any intention to interfere with its proceedings, or to defeat the ends of justice, but that it originated solely from strong impressions upon your mind of the professional confidence reposed in you by your client; with this impression, and this alone, the House is prepared to extend to you its lenity, and to order that you be now reprimanded, and discharged.—In obedience, then, to the commands of the House, I now reprimand you, and acquaint you, that you are discharged, upon payment of your fees."

CRIMINAL LAWS.] Sir *James Mackintosh* brought up the report of the committee on the Criminal Laws, which was ordered to lie on the table.—Sir James then rose, and spoke to the following effect:—In moving that this report be printed, I think it proper to explain the reasons why no proposition has yet been submitted to the House upon the recommendation of the committee from which it proceeds. The committee has, I can assure the House, from the moment of its institution, applied itself with the utmost diligence to the important object of its investigation. It had, indeed, entertained the hope of getting through its inquiries at an earlier period; and until those inquiries were closed, or at least arrived at some degree of maturity, it was deemed inexpedient to submit any measure, to the consideration of this House; and at the present moment it would be obviously improper to introduce any proposition upon so grave a subject. But it was the unanimous feeling and decided impression of the committee, that no measure should be brought forward on a question of this nature, until time should be afforded for the most ample inquiry. It would, indeed, be highly unadvisable to propose any measure at a time or under circumstances which might give rise to objections foreign to the merits of the case, and which, although so foreign, might produce impressions unfavourable to the principles of the measure itself. Hence the committee has abstained, as it does at present abstain, from proposing any measure to the consideration of the House. The committee has been anxiously occupied for the last three months in collecting every variety of evidence applicable to the case. It has particularly devoted itself to the examination of those persons who were capable of giving information that could be relied upon, with regard to the effects of capital punishments upon the morality of the country. The proceedings of the committee have, indeed, been mainly pointed to ascertain, by direct evidence and detail of facts, what degree of validity really belonged to the reasons generally urged against the severity of capital punishments; that is, whether the practical experience corresponded with the general reasoning. With this view we have taken the testimony of a number of persons connected with the administration of the laws. In this important branch of the inquiry indeed, we have made considerable progress, and collected a variety of very satisfactory information. But still our information is incomplete; and with a view, therefore, to acquire farther and complete information on this as well as on other important points, I hope the House will be induced to accede to the re-appointment of this committee at the commencement of the next session. But although our inquiry has as yet been incomplete—although we require to examine still farther evidence before we can finally determine upon the best course to recommend for the adoption of the House—I have the satisfaction to state, and I am enabled to show, that the committee has made such progress as fully to justify those who voted against the noble lord's proposition for mixing this subject with that consigned to the committee appointed to inquire with respect to the state of prisons. Experience has, indeed, most clearly demonstrated that such a combination would have been extremely inexpedient. For although two distinct committees were appointed, each of which has, I believe, been remarkable for the most assiduous investigation, neither has yet been able to come to a conclusive report. But this is not at all to be wondered at, considering the various and important matter about which each committee was called upon to inquire.

As to the committee with which I have had the honour to act, I take leave to say, that its diligence has not been more remarkable than its constitution is respectable. I have never, indeed, met with a body of gentlemen more decidedly superior to every thing like party feeling or influence. But were it consistent to mention the names of the gentlemen most attentive to the duties of the committee, that superiority would be readily admitted. The evidence for which we sought at the outset of our inquiry was principally documentary, that is, with respect to the commitments, convictions, and executions throughout the country; and with a view to the attainment of such evidence, we had recourse to all the public offices connected with the several departments of public justice. We have, indeed, searched in every direction with all the assiduity in our power, and I have the satisfaction to state, that we are enabled to communicate a greater body of authentic, valuable, and various information on this subject, than has ever yet been laid before parliament. The returns which we have received under this head with respect to London and Middlesex are peculiarly satisfactory. We have, indeed, received complete returns of the commitments, convictions, and executions in those important districts, from the year 1694 to the year 1814;

these returns forming a most valuable acquisition to the history of the criminal laws of the country. Those in whose department it lies, in the city of London, to furnish information of this nature, have, I must say, been most ready to afford the committee every assistance in their power. I am happy, indeed, to bear this public testimony to the meritorious conduct of these gentlemen, who will, I doubt not, continue to prosecute their diligent inquiry until their returns are completed up to the latest period. With regard to the home circuit also we have acquired a great deal of accurate information, for which we are much indebted to Mr. Knapp, the deputy clerk of assize for that circuit. From that gentleman we have had returns of the commitments, convictions, and executions from 1689, which was the year after the Revolution, up to the year 1717; also from 1755 to 1784, and from 1785 to 1814. But through the medium of this gentleman's laudable industry we hope to have the chasms alluded to filled up, and we shall then be in possession of a complete return of the administration of the criminal law for one hundred and thirty years. The returns of the western circuit have also been pretty full and accurate, but a good deal of information is yet required to complete the returns from the other circuits. It is remarkable, however, that we have as yet received no information whatever from Ireland. No notice, indeed, has yet been taken of the orders transmitted by the committee to that part of the empire, and this is seriously to be lamented, for it is much more important to obtain such information from Ireland, than from any part of England, with the circumstances of which parliament is already so much better acquainted. But let us hope that this deficiency will be supplied by the next session.

The inquiries of the committee have been directed to two great objects; first, to ascertain the state of our national morality; and, secondly, what criminal laws are useless or mischievous, and may be conveniently dispensed with. As to the first object, the House will hear with pleasure, that the information communicated to the committee is of the most gratifying description. It is indeed peculiarly honourable to the character of the country, for I have great satisfaction in stating, that this information is such as fully to justify the statement of the noble lord (Castlereagh), that crimes of an atrocious and violent character have very materially diminished in this country. The returns which the committee have received from the home circuit are in that point of view extremely interesting. It appears by those returns, that the number of convictions for murder, which took place during the first period mentioned, namely, during the first thirty years after the Revolution, was 123; and the number of executions for murder during the same period, 87—that the number of convictions for murder which took place during the second period mentioned, namely, from 1755 to 1784, was 67; and the number of executions for murder during the same period, 57—and that the number of convictions for murder which took place during the third period mentioned, namely, from 1784 to 1814, was only 54; and the number of executions for murder during the same period, only 44. So that the House will observe, with reference merely to the number of convictions and executions for murder, that during the last thirty years that number has fallen in the proportion of more than two to one, as compared with the number in the thirty years immediately subsequent to the Revolution. That, however, would be a very weak and insufficient mode of stating the fact. For when we take into our account the great increase of population in the kingdom, and more especially in the districts surrounding the capital—when we recollect the rise and growth of a great city on the Southern bank of the Thames, in Surrey—and when we contemplate the narrow space into which this large, increased, and increasing mass of human beings is crowded, we must be compelled to acknowledge, that the crime of murder has actually diminished in frequency in the latter of the two periods which I have just described, in the proportion of three or four to one. But, although such are the facts as manifested in the returns from the home circuit, it does not appear that there has been an equal diminution of crime in the city of London. At the same time, the facts as they have been stated to the committee, with reference to the metropolis, are of considerable importance with reference to that view of the subject. It appears that the number of convictions for murder was in the city of London, from 1754 to 1784 was 71; that the number from 1784 to 1814 was 66; and (which is well worth the attention of the House), that the number in the years 1815, 1816, and 1817, was only 9; whereas the number in the three years immediately preceding it was 14. On estimating the convictions for murder in the city of London for 60 years, that is to say, from 1755 to 1815, it appears that the average annual number is about 9. Now, Sir, I have no means of comparing this calculation with the state of morals with reference to this crime, in any of the other capitals of Europe; first, because there is no city in Europe the population of which amounts to a million; and, secondly, because there is no city in Europe whence it is practicable to obtain such accurate returns as those with which the committee has been furnished by the city of London: but this I may say, without fear of contradiction, that that calculation shows the security of life against violence in this great metropolis to be, if not complete, as nearly so as can in any place or condition of society be expected. From that calculation it is evident that the chance every year is 500,000 to 1 against the murder of any individual—a chance so remote, that a very small premium indeed would be required to cover the risk by those who engage in pecuniary speculations on such subjects. There is also another circumstance to be taken into the account, to which, however, I confess that other members of the committee have been disposed to attach more weight than I myself have. In considering the security possessed for life in a great city, in which that security exists principally in the humanity of the inhabitants, and is little attributable to any supposed restraints resulting from a system of police, it has appeared to several members of the committee to be indispensable to compare the security enjoyed with the restraints imposed. Unquestionably, it is the object of all legislation on this subject, to afford the greatest security with the least restraint. Those members of the committee to whom I allude, are of opinion, that we must consider the existing security for life in the metropolis, with reference to the existing improvement in its police. It has been of late years, for instance, that the day police of the city of London has been put on its present footing. For myself, however, I frankly confess that I have always doubted whether that destruction of the feelings of independence and self-respect, the best guards, allow me to say, of public morality, occasioned by vexatious and numerous restrictions on human conduct, is not more powerful in the production, than in the repression of crime. At the same time, it would be very improper, were I not to state, that the views on this part of the subject of several members of the committee for whom I entertain great respect, differ materially from my own.—By the returns which have been received by the committee from the western circuit, it appears, that in that district there has been at least no increase of the crime of murder. For the last 50 years, the annual number of convictions for that crime in the western circuit, has been pretty nearly the same. So that on the whole, it clearly appears, that however the people of England may have been oppressed by distress, and however they may have been driven by indigence to the commission of crimes of minor importance, they have not lost their ancient character for humanity, for repugnance to shedding blood, for abhorrence of cruelty. To that character, untainted by any temptation which the circumstances of the times might have been supposed to generate, they are now, as much as ever, entitled. Sir, I could not omit the opportunity of stating the gratifying truth, that whatever the population of this country may have lost, it has not lost a particle of that dearest and most valuable of its possessions—its repuation for national humanity [Hear, hear!].

Sir, I now proceed to advert to the second topic, for the elucidation of which the returns that I have mentioned were sought by the committee; namely, to ascertain as far as such returns can be supposed to assist in ascertaining, what statutes, constituting capital felonies, have proved useless, or have become obsolete. In making this inquiry, we assumed as a principle, that the continued existence of laws, which had not been executed for above a century, could not be considered as very necessary—that laws which had slumbered so long could be considered only as an incumbrance to the statute book, and as bringing on the nation imputations of a more sanguinary nature than it deserves. I am aware that there are hon. members who will not coincide in the justice of this remark. I am aware it may be argued, that the terror of the law frequently prevents the perpetration of crime; and that a law often seems to be useless, only because it has completely produced the effect contemplated by it. I will not detain the House at present by inquiring if this argument be well grounded:—If it be applicable at all, it is applicable only to those conspicuous crimes the penalty attached to which is generally known. It must be wholly inapplicable to those obscure laws, obscure crimes, and obscure penalties, the very existence of which it requires extraordinary effort on the part of the most accurate and well-informed lawyer habitually to remember; and which are rarely mentioned but by those who wish to produce an impression unfavourable to the character of our general code. I will not read the list of the acts of parliament of that description, which the committee proposes to parliament to repeal. The statutes to which the committee wishes to direct the attention of the House, are divisible into two classes, respecting which the committee proposes that two bills shall be introduced in the next session. The first class consists of acts, constituting misdemeanors, which having become matters of indifference, or nearly so, it is proposed entirely to repeal:—the second class consists of acts, for the capital punishments comprehended in which it is proposed to substitute either transportation or hard labour, at the discretion of the judge—giving that discretion in the most ample manner.

Sir, there is one part of the evidence taken before the committee, to which I wish more especially to call the attention of the House, as it relates to the dispute to which I have already alluded, between those on the one hand, who, with me, are of opinion that the undue severity of law encourages, rather than represses crime, and those on the other hand, who hold that if to any, however few cases of a particular nature, capital punishment ought to attach, the denunciation of that punishment should be allowed to exist on the Statute-book, with reference to all crime of that description, as a terror which they think operative in diminishing the frequency of its occurrence. The evidence illustrative of this subject has been produced by the examination, for the first time, of the very persons who are the most intimately acquainted with it. By the examination of those who suffer loss when thefts or forgeries are committed; by the examination of those who prosecute when crimes of that nature are prosecuted; by the examination of those who are witnesses; by the examination of those who sit as jurors; by the examination of all these and other parties, the committee has tried to ascertain what effect is produced by the denunciation of capital punishment; whether it tends to deter persons from the commission of crime, or enables malefactors to escape with impunity. With this purpose the committee entered on the examination of several sorts of witnesses. We did not examine the judges of the land, from considerations founded on the dignity of their stations, and on the feelings of delicacy and respect due to them. We thought it would be unbecoming us to call on those learned and venerable individuals for an opinion on the propriety of continuing a description of punishment, which they would perhaps almost immediately afterwards be required, in the discharge of their duty, to direct to be inflicted. It appeared to us to be repugnant to all notions of prudence and decorum to expect a condemnation of the law from those who were appointed to administer it. Not being free to condemn it, their commendation, had they commended it, would have had no weight; for what value can attach to praise when there is no liberty to censure? On those grounds therefore, and not from the slightest distrust of the soundness of their judgment, or of the value of the information which they were capable of communicating, the committee, after much deliberation, determined that it would be unfair and unbecoming to examine them. With respect to those learned persons who have retired from the judicial bench, they appeared to us to be placed in a very different point of view, and we accordingly desired the attendance of five of those learned individuals, namely, lord Erskine, sir William Grant, sir Vicary Gibbs, sir James Mansfield, and sir Alan Chambre. Circumstances rendered the attendance of lord Erskine, sir Vicary Gibbs and sir William Grant inconvenient; but we have reason to believe that those learned persons adhere to the opinions which they have expressed on the subject in this House. It also appeared, that it would be inconvenient to sir James Mansfield and sir Alan Chambre to attend the committee; and as it did not appear that those learned persons had formed any decisive opinion on the subject at issue, the committee, in consonance to their wishes, abstained from pressing their attendance. Sir Archibald Macdonald had the goodness voluntarily to attend the committee, and his evidence we consider to be of very great importance; the

House will perhaps, therefore, pardon me if I state briefly its substance. It is the opinion of sir Archibald that the infliction of capital punishment on crimes, not of the most atrocious nature, renders prosecutors reluctant to proceed, witnesses reluctant to give evidence, and juries reluctant to convict; and, therefore, that the chance which a criminal has of escaping with impunity is greatly increased by the existence of that punishment for such crimes. It is his opinion, that against treason, murder, arson, and crimes of that description, the punishment of death ought to be continued; but forty years' experience convinces him, that with reference to crimes unattended with atrocious or violent circumstances, the existence of that punishment is injurious, rather than beneficial to the community.—The next class of persons examined by the committee consisted of experienced magistrates, who, engaged as they constantly are, in the examination of accused persons previously to their committal, have more direct access to a knowledge of all those circumstances of which it is indispensable to be informed in an inquiry of this nature, than even the judges of our criminal courts, or any other description of individuals. Dr. Colquhoun, who was for 27 years a police magistrate, informed the committee, that in his opinion, the existence of capital punishment for the crimes to which I have alluded, frequently prevented the conviction of offenders. In that gentleman's opinion, it is indispensable to punish treason, murder, arson, burglary, &c. with death; but he expressed his persuasion, that the public mind revolts from the infliction of that punishment in cases not attended with circumstances of violence or atrocity. Dr. Colquhoun's evidence is confirmed by that of Mr. Mainwaring, a very intelligent magistrate for the county of Middlesex; as well as by the officers of the Old Bailey, especially the clerk of the arraigns, and by the clerks of the various police offices, who have the best possible opportunity of knowing the facts. The last declared to the committee, that it is a frequent, and almost invariable question to them, on the part of those who suffer from the commission of crimes, "Is it a hanging matter? Can you not reduce it below forty shillings?" The officers of the Old Bailey stated in their testimony, that a number of bills found by the Grand Jury are not prosecuted on account of the repugnance of those who ought to be the prosecutors, to the idea of endangering the life of a fellow-creature. From another class of individuals—the traders of London and Westminster—the committee received the most important and satisfactory information. I must say, that it is most important and satisfactory; not only as it relates to the present object, proceeding as it does from those who are the near and constant observers of the circumstances connected with it, but that it is most important and satisfactory as displaying a sound intelligence and a feeling of morality in that valuable part of the community, which, with all my previous respect for it, I own I was not so sanguine as to anticipate. I do not hesitate to declare, that in my opinion, the individuals of that description examined before the committee, manifested as great a degree of good sense, as much conscientious consideration, and as sterling humanity as could be found in an equal number of men taken from any station whatever in society. They showed a reluctance—founded on the most respectable grounds—to prosecute, in consequence of the excessive severity of the existing punishments, which, considering their situation, and the extent to which they are sufferers, from forgery and fraud, is, in my opinion, highly honourable to their character, and through their character to the character of the nation. I will not go through the evidence of those persons (whose principles and conduct I shall always remember with the greatest pleasure), but I will shortly describe that given by one or two of them, from which the House may judge of the rest. One, a tradesman in the city of London, expressed to the committee his belief that there was not a single shop from Cornhill to Charing-cross, which did not suffer from various depredations, to an extent that no man not conversant with the facts, could imagine. Yet this same witness represented it to be the unanimous feeling of persons engaged in trade, that the severity of the punishment for those depredations should be mitigated, in order that the delinquents might be punished, and the sufferers be relieved from the obstacles which their humanity at present interposed in the way of obtaining justice. Another excellent witness, a tradesman in Westminster, who has been for twenty years engaged in an extensive concern, told the committee, that no porter had ever been discharged by him for any cause but the commission of theft. Some years ago, this gentleman brought a porter to trial for theft, who was capitally convicted; and he declared to the committee, that the pain and anxiety which he and his father felt, until it was ascertained that the royal mercy would be extended to the offender, were such as to deter them ever after from taking a similar step, and, to induce them to suffer any depredation, rather than again incur so melancholy a risk. Sir, it is not so much to the virtue of such conduct, as to its good sense and prudence, that I wish to call the attention of the House. The opinions which I have quoted are not the opinions of visionaries and enthusiasts, but the opinions of rational individuals, pursuing their business in the way which they think best calculated to ensure success; and they distinctly tell you, that they believe the best security which the legislature could devise for their property, would be the abolition of those sanctions by which it has hitherto been so ineffectually guarded.

All the traders who were examined by the committee declared that they spoke the opinion of at least nine-tenths of their acquaintance, respecting the crimes of shoplifting, stealing in warehouses above the value of forty shillings, and, above all, respecting the crime of forgery. With reference to the crime that I have just mentioned, I am anxious to dwell more particularly on the evidence of two remarkably intelligent witnesses examined by the committee. The first was Mr. Carr, solicitor to the board of excise, a public officer of great experience, and who gave his testimony in a manner that reflected the utmost credit on his understanding. Besides the expression of a strong general opinion on the subject, Mr. Carr stated several particular circumstances and cases highly deserving of attention. Prior to the year 1806, the forgery of an excise stamp was punishable only by the infliction of a penalty of 500*l*. At that period it was made felony. Mr. Carr detailed to the committee a comparative statement of the number of prosecutions and convictions for that offence before, and the number after it was constituted felony. During the twelve years preceding 1806 there had been twenty-one prosecutions, and nineteen convictions; during the twelve years subsequent to 1806, there had been nine prosecutions, and only three convictions. So much were juries disinclined to convict since the offence was made capital, that although before that increase in the severity of the law they had convicted in almost every case submitted to them, since its occurrence they had convicted in only one-third of the cases submitted to them. This fact Mr. Carr considers, and justly considers, as decisive with respect to the general principle. The House will perceive that it is not to the diminution in the number of prosecutions that I advert, that may be susceptible of various explanations; but it is to the diminution in the number of convictions, as compared with the number of prosecutions; a circumstance which it must be generally admitted is attributable only to the increased severity of the law. Mr. Carr mentioned to the committee another interesting and important fact, namely, that in his professional intercourse with fraudulent traders, he had always found them desirous of heavy penalties, because they believed that such penalties would not be enforced. They dreaded moderate penalties, because they believed that such penalties would be enforced.—Of these facts a still more striking proof exists in the evidence of the other witness to whom I have alluded —evidence which, I am persuaded, will be heard by the House with great interest. It is that given by Mr. James Harmer, the solicitor in Crown prosecutions at the Old Bailey, who, in the course of twenty years practice, has had professional and confidential intercourse with more than 2,000 persons brought to trial in that court, and who must therefore be as familiar with the causes of crime, with the hopes and fears of delinquents, with the temptations which allure them to the commission of offence, and the punishments calculated to deter them from it, as any man living. And, Sir, I beg to add my conviction to that of the whole committee, that a witness of so much judgment and intelligence, or who exhibited such evident marks of a conscientious and humane character, has seldom appeared before any assembly. It is, indeed, difficult for me to imagine the evidence of any witness on this interesting subject entitled to greater weight than that of Mr. Harmer. Among other things, Mr. Harmer said—and I repeat, that this gentleman's testimony is peculiarly deserving the attention of hon. gentlemen, who call those who think with me on this subject visionaries—that he knew many persons who had suffered considerably from acts of larceny and forgery, but who had declined prosecution, lest the delinquents, if convicted, should be punished with death; that he had frequently observed the same disinclination to serve as jurors, arising from the same cause, and inducing individuals to bribe the summoning officer to leave them out of his list; that he had repeatedly known juries, influenced by the existence of capital punishments, acquit in minor cases, especially in forgeries, where the proof of guilt was irrefragable; that old and professed thieves who were aware of this feeling on the part of juries, had often told him, with the sagacity and sharpness prompted by a knowledge of their own interest, that they were desirous to be prosecuted capitally, as affording them the probable means of escaping with entire impunity. If so, Sir, if our present laws afford security to the enemies of society, they must be pregnant with insecurity and danger to the lives and property of all good members of society. In the continuation of his evidence before the committee, Mr. Harmer declares it as his decided opinion, for the reasons which he had already stated, that the present numerous enactments for taking away human life were inadequate to the repression of crime. To the admirable passage which follows, and which exhibits in a brilliant point of view this gentleman's sound judgment, humane feeling, and (which is certainly of comparative unimportance) powers of composition, I beg the attention of the House. "If I were asked," said Mr. Harmer, "what description of punishments would in my opinion be productive of benefit, I would answer, such as might force the delinquent into a course of discipline totally opposite to his habits. Idleness is assuredly a part of his character, which industry would counteract. Set him to labour. He is probably debauched, and abstinence would be advantageous to both his mind and his body. Apply it. He has been accustomed to dissolute companions, separation from whom would essentially ameliorate him. Keep him in solitude. He has hitherto rioted in uncontrolled liberty of action. I propose that he should be subjected to restraint, and the observance of proper decorum. Were these or similar suggestions attended to, I have no doubt that the number of criminal offenders would soon be considerably reduced" [Hear, hear!]. Mr. Harmer further states, that he has frequently seen juries reduce the estimated value of the thing stolen in order to screen the prisoner from capital punishment; that no reluctance appears to exist in the public mind to see the punishment of death inflicted for crimes accompanied with circumstances of atrocity and violence; but that those who suffer death for offences of a less aggravated description, are consoled by the public sympathy; and that thus the public feeling is excited against the whole code of our criminal law. Sir, all these judicious observations apply to persons whose punishment depends on the value of the property which they have stolen. In those cases, however, there are easy means of evading the law, and especially by undervaluing that property. In cases of forgery, that practice cannot, however, be resorted to. I am sure the House would listen with attention to the whole of the evidence given before the committee with respect to the crime of forgery, for it proceeds from some of the most eminent bankers and merchants of the city of London; but I will at present content myself with a very abridged statement of its substance. Mr. John Smith, the banker, a member of this House, stated to the committee, that he knew an instance of a prosecution for forgery having been relinquished on account of the punishment of death, which he had no doubt would have been carried to conviction had the punishment for that crime been of a less severe description. Mr. Barnett, the banker, also a member of this House, declared to the committee his conviction that the infliction of capital punishment for forgery tended so materially to diminish the number of prosecutions for that offence, that he believed the majority of private forgeries passed unpunished. Mr. Edward Forster, amidst other valuable information, stated a single occurrence, namely, that in an instance of forgery with which he was acquainted, a friend of the prisoner's contrived, by the connivance of the prosecutor, who was averse to conviction, to seize the forged check, and to throw it in the fire. Mr. Forster also said, that he believed half the private forgeries passed unpunished in consequence of the existence of the capital punishment. Mr. Fry, a banker, likewise described four remarkable cases of this sort; and declared to the committee, that he should consider his property to be much more secure were the severity of the present punishment for forgery mitigated. Mr. Samuel Hoare's evidence was also highly worthy the attention of the House. That gentleman informed the committee, that in most cases in which the life of a prisoner was endangered, he observed, that there was great reluctance to prosecute, but in a case of forgery more than in any other; and that, instead of thinking that the security of property would be diminished by a mitigation of punishment, he was persuaded it would be increased. Mr. Goldsmid, the broker to the Bank of England, declared that he knew many hundred instances, in which the capital punishment had prevented prosecutions for forgery.

Sir, I will not fatigue the House by any further details of this nature. When the report comes to be printed, I am persuaded that the evidence which it contains will be read with no ordinary interest. I shall now, therefore, close the observations with which I have troubled the House, by merely stating the general instructions which I have received from the committee. The committee desire that I will propose the introduction of two distinct bills. The one, a bill for the abolition of 35, or perhaps rather more capital felonies. The other, a bill to consolidate and amend the existing laws respecting forgery; to bring them all into one statute, and to make such amendments as may seem expedient. I proceed to give a general idea of the proposed amendments. And here I beg to observe, that besides the general evidence given before the committee, to which I have already adverted, there are other considerations—considerations of policy of a very grave nature—which ought to induce the House to consider the amendment of the laws respecting forgery as an imperative duty. Parliament has recently adopted a most important, and, in my opinion, a highly beneficial measure; a measure which I trust no temptation or occurrence will ever induce it to repeal. It has pledged itself to return to the ancient standard of our currency—to that intrinsically valuable standard, which so long existed in this country, in common with the other countries of the civilized world. It has pledged itself to abandon—what I trust will never under any circumstances be re-adopted—a system, which, however it might be excused by the extraordinary pressure of the time at which it was taken, is acknowledged by every body to be inconsistent with all those principles on which the permanent well-being of society depends. In doing this, nevertheless, we cannot dissemble from ourselves that we are taking a step, which, however beneficial on the whole, must be attended with partial danger, with considerable sacrifices, with serious injury to individuals. Under the agitating circumstances necessarily consequent on so great a change, it appears to me to be the policy of parliament to give character and popularity to the change itself, by removing from the laws which regulate our paper currency the odious imputation of a sanguinary character, which the execution of those laws has but too frequently warranted. In my opinion, parliament ought to render the measure it is about to adopt as acceptable to the public as it can. This seems to me, to be also expedient for the sake of the Bank of England, which has of late been charged, and perhaps unjustly, with conduct not altogether reconcilable to the principles of justice, or at least of humanity. Sir, it is most desirable, that all these things should, if possible, be forgotten. It is most desirable that they should be imputed to the necessities of the times, and be dismissed from men's minds. Sincerely do I wish that the Bank of England may continue the inspectors of our domestic circulation; and that they may continue to afford aid to government, if government should need their assistance; and therefore do I also wish, that we may signalize the great change which is about to take place, by such alterations in the law as may restore to the Bank, and to all connected with recent events of a financial nature, the character which has at least been so seriously endangered. Sir, the amendments in the law proposed by the committee are founded on this principle. It appears to them, that as long as the small notes of the Bank of England continue in circulation, forming as they do a great portion of the currency of the country, it may be right to place them on the same footing as the metallic currency of the same value. With great pain and reluctance, therefore, the committee recommend, that the actual forgers of those notes shall continue subject to capital punishment. At the same time, the committee suggest that it may be worthy the consideration of parliament to inquire into the expediency of adopting the suggestion of the commissioners appointed to examine into the means of preventing the forgery of bank notes, to offer an unusually high reward for the detection of the actual forgers of those notes. There does not appear to me to be any danger in this proposition. No jury will convict—no jury ought to convict—on the evidence of informers alone. A verdict of guilty can be pronounced only on the discovery of the materials and implements necessary for carrying on the illegitimate manufacture. I repeat that no jury will convict on the evidence of an informer, without these corroborating circumstances. With respect to the utterer of forged notes, it is proposed by the committee to lighten the law. It is proposed to punish the first offence either with transportation or with hard labour, at the discretion of the judge; but to place the offender on the second or third offence on the footing of the common utterer of money, prosecutable capitally; leaving it, however, open to the prosecutor, to prosecute if he shall think fit as for a first offence. It is not proposed by the committee to make any change with respect to the person found in possession of forged notes, except that it shall be left to the discretion of the judge, whether to subject him to imprisonment, or to hard labour.

These, Sir, are the measures which I am instructed by the committee to recommend to the House. I will close my observations by endeavouring to describe what appears to me, from the evidence before the committee, and from other sources, to be the general opinion of the public on this interesting and important subject. The number of the petitioners whose petitions are on our table, praying for a mitigation of the criminal law, exceeds 12,000. We have besides, the petitions of the corporations of London, of Norwich, of Portsmouth, &c. We have the petitions of numerous grand juries, and of a large portion of the clergy. But the petition from the city of London alone, speaking, as it does, the sentiments of the great majority of the metropolis, conveys the opinion and wishes of a much greater number of persons than those I have already mentioned. All the witnesses who have been examined before the committee concur in declaring that the severity of the law ought to be mitigated, and that such are the sentiments of the majority of those with whom they are acquainted. It is the deliberate opinion of the public at large. It is no popular clamour, likely to subside with the temporary cause which gives it voice. It is the well-grounded persuasion of that numerous and respectable class of society, to the soundness of whose sentiments I have endeavoured, however feebly, to do justice. It is the decided conviction of all, that it is impossible to execute the laws as they stand at present on our Statute book; and I am therefore justified in asserting, that there can by no possibility be any subject to which a wise legislature ought more speedily or more intensely to direct its attention. Sir, I move you that the report be printed [Loud cries of Hear, hear! followed this speech, which, during its delivery, was listened to by the House with profound attention].

The Report was ordered to be printed.

LORD E. FITZGERALD'S BILL.] A message from the Lords announced, that their lordships had passed a bill reversing the attainder on the late lord E. Fitzgerald.

Lord *Castlereagh*, in rising to propose that the House should agree to this measure without delay, expressed the gratification which he knew the illustrious individual in the exercise of regal authority in this country experienced at exercising the present gracious prerogative of sovereignty. It was highly gratifying to those who were connected with that part of the empire to which the measure especially referred, to contemplate that tranquil state which rendered the present proposition so advisable. He repeated, that it was highly gratifying to the illustrious representative of the sovereign to consult, by this act, the feelings of one of the most illustrious families of which the empire could boast; and to him (lord C.) who, in his official character in Ireland, had been the painful witness of the circumstances out of which the proceeding that the proposed bill went to overturn arose, it was extremely gratifying to be the humble instrument of proposing to the House a measure, the adoption of which would, he trusted, assist in the consummation of that for which every good and honest mind must wish—the oblivion of all the circumstances in which the necessity for it originated.

Lord *W. Fitzgerald* could not refrain from expressing his sense of this gracious act on the part of his royal highness. It was a truly gracious and noble act, conferring the highest obligation on those who were connected with the objects of it. He could not sit down without acknowledging the kind and liberal manner in which ministers had carried into effect the commands of their royal master.

Sir *F. Burdett* congratulated the House and the country on the introduction of the present bill, which he characterized as an act, which although one of justice, yet evinced a magnanimous feeling on the part of the Prince Regent, that entitled him to the warmest attachment and gratitude [Hear, hear!].

Mr. *V. Fitzgerald* also expressed his unequivocal approbation of the proposed measure.

The bill was read a first and second time.

## HOUSE OF LORDS.

### *Wednesday, July* 7.

Insolvent Debtors Bill.] Lord *Auckland*, in consequence of its being impossible, at that late period of the session, to come to any agreement respecting the provisions in the Insolvent Debtor's Bill, moved to postpone it for three months, stating that he should give his support to the bill which it was understood would be sent up from the other House, for continuing, for a limited time, the old Insolvent act.

After a few words from lord Redesdale and the lord chancellor, the motion was agreed to.

## HOUSE OF COMMONS.

### *Wednesday, July* 7.

Camelford Election.] Mr. *D. W. Harvey*, after stating that he thought some further inquiry relative to the borough of Camelford necessary, in consequence of the reports of two committees, and that there would not be time in the present session to pursue and complete that inquiry, moved a resolution that the House would renew the investigation early in the next session, and that the Speaker should not issue his writ for a new election until 10 days after the next meeting of the House.

Mr. *Primrose* argued against the resolution, contending that the evidence of Mr. Hallet put an end to all imputation upon the two sitting members, and in a great degree relieved the borough from the general charge of corruption. He moved, as an amendment, that the report of the committee be now taken into consideration.

Mr. *Tremayne* thought that the special report of the select committee was fully warranted by the evidence, and that the two sitting members had been brought within the 49th Geo. 3rd: if the evidence against them was circumstantial, it was because Mr. Hallet and Mr. Harvey had kept out of the way.

Lord *Ebrington* said, that if ever there was a case in which the House was bound to interfere, either from a regard to its own consistency, or for carrying into effect that most moderate species of reform which so many members of it (though hostile to any general measure) had expressed themselves anxious to have adopted, he did not see how they could avoid pursuing the same course, in the instance of Camelford, which they had with respect to other boroughs, wherein the same practices had been detected. It should be recollected, that at Penryn, which the House had so justly visited with its condemnation, the report of the committee had been confined to a few cases of individual bribery; whereas here, we have the collective sentiments of two committees in the same session—the former, as to the general corruption of the borough, and the latter, as to the persons who had been the principal actors in these disgraceful scenes. His hon. friend had argued, that because Mr. Hallet had stated in evidence, that his corrupt proposal to the electors of Camelford had not been accepted, it was therefore to be presumed that they were altogether innocent; for his own part, he could draw no such conclusion, nor, when he considered the very suspicious circumstances under which Mr. Hallett came before them, and the manner in which he had given that evidence, could he place any great reliance on his testimony in this case. He thought the House could not hesitate a moment as to the necessity of withholding the writ till next session, that we might then effectually prosecute that inquiry which the facts before us so imperiously called for.

Lord *Normanby* expressed his decided concurrence in the opinion of the noble lord with regard to the propriety of transferring the right of voting from boroughs convicted of general corruption, for he could not conceive the justice of still leaving the right of voting to those who had abused that right by the grossest corruption, which must be the case according to the system of merely extending that right to the adjoining hundreds.

Mr. *Gurney* said, he had heard the latter part of the noble lord's speech with great satisfaction, and did hope if these boroughs were disfranchised, that Manchester and Birmingham would take their place in the representation, and not the adjacent hundreds. Perhaps there could be no instance in which this hundred system would appear more strikingly absurd than this of Camelford. Camelford was made a free borough by Richard, king of the Romans, in 1259; It is not even a parish: Lanteglos, the parish in which it is situate, contains, by the last population returns, only 1,100 inhabitants. It never sent members to parliament till the last year of Edward 6th, when the duchy of Cornwall being in the Crown, and the Commons having refused to pass the bills of attainder against the adherents of Somerset, Dudley, duke of Northumberland, dissolved the parliament, sent a circular to the sheriffs, stating whom they were to return, and first summoned nine Cornish boroughs, of which Camelford was one, the mayor, eight aldermen, and ten freemen being the only voters; and Camelford, now before the House a second time the same session, is situated in a hundred, which includes another borough of the like description, whilst there are eight boroughs in the three hundreds adjoining. He could hardly avoid the remark, that the House had been referred to the reign of queen Elizabeth as the purest period of our parliamentary history, whilst, in fact, the duchy of Cornwall still remaining in the Crown, queen Elizabeth summoned seven more Cornish boroughs, in addition to those first receiving precepts under Edward 6th, making part of 31 boroughs, added to the representation during her reign, and every one boroughs of nomination. Now, the first precedent of throwing a borough to the hundreds being so extremely modern, as well as so perfectly anomalous, and the introduction of important places to the right of furnishing representatives to parliament supported by so long a series of precedents, as, for example, the Welsh counties and towns in the reign of Henry 8th; Durham so late as that of Charles 2nd.—

Lord *Castlereagh* here rose to order, remarking that the question into which the hon. member was entering, was not yet ripe for discussion, and in order that the inquiry should be really *bona fide,* he recommended the postponement of its further progress until the next session.

Mr. *Gurney* said, he must confess that he had been considerably out of order in alluding to what had passed in former debates; but if any more of these boroughs were to be disfranchised, he did consider the subsequent proceedings of the House of such extreme importance, in the present state of public opinion, that he was anxious to express his hope that the course would be taken which, in his mind, could alone lead to any advantage, and the only one defensible on any ground either of reason, or ancient precedent.

The resolutions moved by Mr. Harvey were then agreed to.

INSOLVENT DEBTORS BILL.] Mr. *Abercromby* rose to obtain leave to bring in a bill for the purpose of continuing the act now in existence for a limited term. The House was aware, that the new bill, prepared by a committee of its own appointment, and approved after long and repeated discussions, by the House itself, had been rejected in another place. The general principle of that bill was one for rendering the administration of justice with respect to insolvent debtors analogous to that of the bankrupt laws. In the circumstances, however, under which the House was now placed, it appeared to him, that the most advisable course which could be pursued was, to pass a short bill, extending the duration of the present act till the expiration of three months after the commencement of the next session. The general object appeared to him so manifestly desirable, the evil of overflowing gaols and the demands of humanity and justice so obvious, that he could not doubt what would be the decision of the House. He then moved for leave to bring in a bill, for continuing, during a limited period, the acts of the 53rd, 54th, and 56th of his present majesty, relative to the law of Insolvent Debtors.

Sir *W. Curtis* feared, that too many persons already in gaol were there as voluntary inhabitants, and thought it would be much more expedient to let the present act die a natural death.

Mr. *Waithman* conceived that no ground whatever had been laid for the course proposed. The committee that sat during the present session, had received evidence which clearly established all the grievances complained of in the various petitions which had been presented to the

House. He felt satisfied, that the authors of the rejected bill were the best friends to the unfortunate debtor; and that it was the duty of the House to resist the course of legislation which it was now attempted to introduce.

Lord *Castlereagh* said, that when he found that if no new law could be perfected, the consequence must be a return to the old, with all its acknowledged inconveniences, he could not hesitate to give his support to the present motion.

Mr. *Calcraft* declared, that he felt a little sore at the manner in which the old law had been treated, nor was he satisfied with the reasons assigned for renewing the present act. Under all the circumstances, however, he should vote for the motion.

Mr. *G. Lamb* declared his aversion to any continuance of the existing law. Parliament had temporised too long upon this subject, and he should certainly prefer a return for a limited time to the old system.

Mr. Serjeant *Onslow* disapproved of any adjournment till some understanding on this subject had been come to with the other House.

Lord *Ebrington*, though he regretted to oppose what was intended as an act of grace to many unfortunate individuals, yet could not but complain of such a proposition as this, after the numerous petitions, showing the gross system of fraud and abuse produced by the operation of this bill. To remedy these evils, a measure had been framed by the labours of a most industrious and effective committee, which appeared to reconcile the contending interests and opinions of all parties affected by it; but which, after receiving the unanimous concurrence of that House, was now thrown out by the Lords, because at that period of the session, they could not afford sufficient time for its discussion. And under these circumstances, we were invited to renew the former act, stigmatized as it was by the complaints of our constituents, and by our own recorded opinion of its mischief and absurdity. As to the objection about the funds in the hands of the court, he thought it would be much more expedient to bring in a specific bill to guard those funds, and to revert to the old law till next session.

Mr. *Courtenay* was strongly disposed to concur with the sentiments of his noble friend who had just sat down. It was impossible to overlook the evil consequences of the law as it now stood.

Sir *James Mackintosh* considered the present measure the best, under existing circumstances, that could be suggested for carrying into effect the petitions of the people. The wish of the public was, either that the present law should be amended, or that a new one should be enacted; but they did not expect that this was to be done in a day. Sufficient time must be allowed to enable the legislature to give effect to this wish; and that time, the measure of his hon. and learned friend was calculated to afford. If we once got under the operation of the old law, we should find it extremely difficult to revert to that principle which constituted the best part of the present act—the *cessio bonorum*. At present the prisons were crowded with debtors, who had been led to expect liberation under the act; and there was, therefore, a sort of parliamentary pledge that these expectations should not be disappointed. He could not refrain from observing, that in his opinion the law of debtor and creditor looked too little to property, and too much to the person.

Sir *R. Wilson* said, that the measure of his hon. and learned friend met with his entire approbation.

After some further conversation, the House divided: Ayes, 80; Noes, 26. A bill was then brought in, which was allowed to go through the several stages, and passed.

Slave Trade.] Mr. *Wilberforce* said, that the object of his present motion was, that the efforts of his majesty's ministers should be renewed with those foreign powers that had formerly carried on the Slave Trade, but had passed laws for abolishing that trade, in order to induce those powers to take measures for the more effectually carrying the abolition into execution. In consequence of the communications made by his noble friend (Castlereagh) to the powers assembled at Vienna, one of the most forcible declarations ever penned was unanimously adopted by all the great powers at Vienna, denouncing the African slave trade, as contrary to every principle of humanity, and as one of the greatest practical evils that ever existed. There was now but one single power, Portugal, which had not declared the slave trade a mass of injustice and cruelty, and fixed a definite time for the termination of that trade. Spain had abolished it absolutely to the north of the line, and fixed a period for its termination to the south of the line. So that Portugal alone had not fixed a period when the slave trade should absolutely terminate. With respect to the trade, he regretted to say, however, that notwithstanding the laws passed in several countries for its abolition, it was still carried on—it had been found impossible to sweep away at once that incurable race of free-booters who infested Africa. The persons carrying on the trade were of all nations, English, Dutch, French, Spanish, Portuguese, and Americans. But at length a system of international policy had been adopted with respect to this subject, so that it was to be hoped those persons would not be able to escape the punishment they deserved. Unhappily, however, two great powers had hitherto refused to enter into these arrangements, and he could not but regret that these powers had not of themselves taken measures for rendering the abolition of the trade effectual. It grieved him to think that a great and high-minded people, a nation of cavaliers like the French, should refuse to take the proper measures for putting an end to this trade; while we, who had been called a shop-keeping nation, had given up the trade, it was not a little surprising that it should be taken up by a high-minded nation, who had never been considered in any great degree as possessing a commercial character, and most of all, that they should think of assuming that character, in the instance of a traffic like this. Surely a few predatory men would not be suffered to injure the character of a great country. With regard to the United States of America, he was still more hurt that they did not take effectual means to put a stop to this trade. They were the first to declare that the slave trade should be abolished. As soon as the forms of the constitution admitted of it, they passed a law for the abolition. Many states of the Union were perfectly sincere in their wish to put an end to the trade; but unfortunately, there were other parts where a similar wish was not so generally prevalent, and which would not consent to measures for rendering this abolition effectual. The Congress, however, had lately passed a law on the subject, appointing a large naval force, and giving a bounty for bringing in ships engaged in the trade. He trusted that the United States would provide for the practical execution of their benevolent intentions, as parts of Africa were in a way to show what the friends of Africa always asserted, that but for the disadvantages under which they had been placed the genius and temper of the inhabitants would have secured them a progress in civilization equal to other quarters of the world. The much calumniated colony of Sierra Leone, now presented the spectacle of a flourishing settlement: 2,000 children were in a course of instruction, and 8 or 9,000 free blacks were beginning to taste the advantages of civilization. He was perfectly sure that the best means of inducing other countries to make efforts for the final abolition of this trade, was, to show them how much we had at heart to afford Africa reparation for the injury she had suffered at our hands. It was only because it was supposed that the victory was gained that the country was quiet; if they knew that the contrary was the fact, they would show that they did not feel in this great cause less earnestly.—The hon. member concluded by moving,

"That an humble Address be presented to his royal highness the Prince Regent, to assure his royal highness, that we acknowledge, with becoming thankfulness, the zealous and persevering efforts which, in conformity with former addresses of this House, his royal highness has made for accomplishing the total annihilation of the African Slave Trade, by all the foreign powers whose subjects had hitherto been engaged in it:—That we also congratulate his Royal Highness on the success with which his efforts have been already attended; that guilty traffic having been declared, by the concurrent voice of all the great powers of Europe assembled in Congress, to be 'repugnant to the principles of humanity and of universal morality:'—That, consequently, on this declaration, all the states, whose subjects were formerly concerned in this criminal traffic, have since prohibited it; the greater part absolutely and entirely; some for a time, partially, on that part of the coast of Africa only which is to the north of the line: of the two states which still tolerate the traffic, one will soon cease to be thus distinguished; the period which Spain has solemnly fixed for the total abolition of the trade being near at hand: one power alone has hitherto forborne to specify any period when the traffic shall be absolutely abandoned:—That the United States of America were honourably distinguished as the first which pronounced the condemnation of this guilty traffic; and that they have since successively passed various laws for carrying their prohibition into effect: That, nevertheless, we cannot but hear with feelings of deep regret, that, notwithstanding the strong condemnation of the crime by all the great powers of Europe, and by the United States of America, there is reason to fear that the measures which have been hitherto adopted for actually suppressing these crimes are not yet adequate to their purpose:—That we never, however, can admit the persuasion, that so great and generous a people as that of France, which has condemned this guilty commerce in the strongest terms, will be less earnest than ourselves to wipe away so foul a blot on the character of a Christian people:—That we are, if possible, still less willing to admit such a supposition in the instance of the United States, a people derived originally from the same common stock with ourselves, and favoured like ourselves, in a degree hitherto, perhaps, unequalled in the history of the world, with the enjoyment of religious and civil liberty, and all their attendant blessings:—That the consciousness that the government of this country was originally instrumental in leading the Americans into this criminal course, must naturally prompt us to call on them the more importunately to join us in endeavouring to put an entire end to the evils of which it is productive:—That we also conceive that the establishment of some concert and co-operation in the measures to be taken by the different powers for the execution of their common purpose, may, in various respects, be of great practical utility; and that, under the impression of this persuasion, several of the European states have already entered into conventional arrangements for seizing vessels engaged in the criminal traffic, and for bringing to punishment those who shall still be guilty of these nefarious practices:—That we therefore supplicate his royal highness, to renew his beneficent endeavours, more especially with the governments of France and of the United States of America, for the effectual attainment of an object which we all profess equally to have in view; and we cannot but indulge the confident hope, that these efforts may yet, ere long, produce their desired effect, may ensure the practical enforcement of principles universally acknowledged to be undeniably just and true; and may obtain for the long-afflicted people of Africa the actual termination of their wrongs and miseries, and may destroy for ever that fatal barrier, which, by obstructing the ordinary course of civilization and social improvement, has so long kept a large portion of the globe in darkness and barbarism, and rendered its connexion with the civilized and christian nations of the earth a fruitful source only of wretchedness and desolation."

Sir *J. Mackintosh* said, that the motion needed no recommendation, and had it needed any, it could have had none more powerful and appropriate than the speech of his hon. friend. As to the conduct of Portugal on this question, it was impossible to speak at once with truth and decorum. She chose to hold herself in solitude in the civilized world, and alone in Europe, after concurring with others in the sentence of condemnation on the slave trade, continued to carry on indefinitely this detestable traffic. With respect to the United States of America, he had a perfect confidence that they were sincere in their declarations. It was within twelve months that England and the United States both passed their abolition laws, and history would not fail to record that two nations of English race, separated by the calamity of civil war, had, to the honour of their common blood and common liberty in one year, without previous agreement, performed this act of reparation to the principles of justice and humanity. It was more to the credit of the Americans that this had been done, considering they had slave holders in their legislature; but how much more would it redound to the credit of the Independent States of South America, where the slave holders also had supreme power, that in spite of their prejudices and their supposed interest, their first acts had been to abolish the slave trade. As to France, he was afraid that the colony of St. Louis was nothing but a factory of slave traders. Whether this conduct received any countenance at home he knew not, but he was convinced that a proper application to the French government, or even a knowledge of the fact in France, would go far towards the removal of this disgrace from the French name. Every friend of the human race must wish for the stability of the present government in France. The spirit, combined with order in their legislative proceedings, allowed them to indulge a hope that the calamities of Europe would be overpaid by the establishment of a reasonable liberty, which would secure Europe against despotism and convulsions. He hoped the honest representatives of France would raise their voice against this blot on the French character.

Lord *Castlereagh* said, that no incitement was wanting to induce his majesty's government to use their utmost efforts for the abolition of the slave trade, though he was far from objecting to the motion as an expression of the sense of the House. Though he was unwilling to repress any expression of feeling, it would not be just to Portugal not to state that the time during which she had stipulated for the continuance of the slave trade (eight years), had not elapsed; so that she could not yet be accused of a direct breach of promise, nor had she finally refused to abolish the slave trade. During the period of eight years, she could not be accused of injustice. The declaration of the powers at Aix-la-Chapelle had been sent to the court of Brazil, but no answer had yet been received. He was convinced the French government was anxious for the execution of its own laws, as they had sent out considerable squadrons to the coast of Africa for that purpose. He assured the House, that nothing could exceed the earnest wishes of the Prince Regent for the accomplishment of the objects of the Address.

The Address was agreed to *nem. con.*

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## HOUSE OF LORDS.

*Friday, July 9.*

Slave Trade.] The Marquis of *Lansdowne* rose, pursuant to notice, to move an address to the Prince Regent, for the more effectual abolition of the African Slave Trade. It was hardly necessary for him to tell their lordships, that, notwithstanding the hopes entertained by this country that the measures adopted for putting an end to the slave trade would be successful, those hopes were as yet far from being realized. It was still carried on, not only under the flag of those two powers who had not yet agreed to abolish it, but under the flags of those by which that detestable traffic was completely renounced. It was carried on to a very great extent under the flag of France, the government of which country had declared against the trade, and taken means to suppress it. This state of things could not but convince them of the necessity of persevering in their efforts to obtain the complete abolition of this trade. As to the means, their lordships must be aware that it was only by allowing a flag, common for this purpose to the great maritime powers, to be exerted against the common enemies of mankind, that the selfish interests which supported this nefarious traffic could be completely put down. In calling their lordships' attention to this subject, it was impossible not to consider the different state in which the powers of Europe stood with regard to the abolition. All, except Portugal and Spain, had put an end to it, and the former of these powers had as yet fixed no period for the final termination of the trade. Some powers which had acknowledged the justness of the principle of the abolition, had yet adopted no active measures for enforcing it. With regard to France, the government had sincerely concurred in the abolition; but unfortunately, in the colonies of that country, the trade had been renewed by selfish individuals, and carried on under circumstances of great atrocity. He could not but entertain a hope that a government professing such liberal principles as the French now did, would not, from any narrow views, refuse to concur in measures calculated to secure an object alike called for by policy and humanity. But if he was sanguine with regard to the disposition of France, still more sanguine was he in his anticipation of the future conduct of the United States of America. Within these few months the Congress had passed an act for the purpose of enforcing their abolition laws, by which heavy penalties were imposed on all persons implicated in this iniquitous traffic. It was obvious, however, as long as there remained a flag not liable to be searched, even though it should be the flag of a power which had agreed to the abolition, that wicked and selfish persons would take shelter under that flag, and avail themselves of the facility it could not fail to afford them. There was no doubt but that the American government would eagerly listen to any plan which might be proposed for completing the great work of abolition. If such an understanding as he supposed practicable should take place between this country and France and the United

States, the smaller powers would readily concur in the same system of maritime police. The noble marquis concluded by moving an address to the Prince Regent, to the same effect as that moved on Wednesday in the House of Commons by Mr. Wilberforce. [See p. 1544].

The address was agreed to *nem. con.*

## HOUSE OF COMMONS.

*Monday, July 12.*

EMIGRATION TO THE CAPE OF GOOD HOPE.] The *Chancellor of the Exchequer* said, he had to propose a grant for the purpose of enabling his majesty's government to assist unemployed workmen of this country in removing to one of our colonies. It had been the wish of his majesty's government first to try an experiment on a small scale, how far it might be possible to employ the surplus population of this country in one of our colonies, in such a manner as might be advantageous to the people removed, and beneficial to the country. From the satisfactory result of this experiment, it was, that government were now desirous of trying the experiment on a larger scale. The colony selected was that of the Cape of Good Hope. The greater part of the persons disposed to emigrate from this country rather wished to go to the United States of North America, where government could give them no direct encouragement, or to the British colonies of North America. But with respect to the latter, his majesty's government—considering the inconvenience to which these persons would be subjected on their arrival in America, had selected the Cape of Good Hope as the colony to which emigration might be most advantageously directed. From the mildness of the climate and the fertility of the soil in some parts, a rapid and abundant return might reasonably be expected. That colony was also highly favourable to the multiplication of stock. The particular part of the colony selected was the south-eastern coast of Africa. It was at some distance from Cape Town. A small town was already built there. It was proposed to pay the expense of the passage, and at the same time to secure to the settler the means of employing his industry to advantage on his landing at the destined spot. But a small advance of money would be required from each settler before embarking, to be repaid him in necessaries at the Cape, by which means, and by the assistance given him by government, he would have sufficient to procure him a comfortable subsistence till he got in his crops, which in that climate were of rapid growth. The Cape was suited to most of the productions both of temperate and warm climates—to the olive, the mulberry, the vine, as well as most sorts of culmiferous and leguminous plants. The persons emigrating to this settlement would soon find themselves comfortable. The right hon. gentleman concluded with moving the grant of a sum not exceeding 50,000*l.* to be issued from time to time, for the purpose of enabling government to assist persons disposed to settle in his majesty's colony of the Cape of Good Hope.

Mr. *Hume* said, he was sorry ministers had not gone farther. Parishes having able-bodied men willing to work, chargeable on them, ought to be called on to subscribe sums towards removing a part of them to this or some other settlement, where their industry might provide them with a comfortable subsistence. He thought that if men under such circumstances were unwilling to emigrate, it might even be advisable to transport them without their consent. If the parishes would but contribute the money they were forced to pay to these persons for one or two years, from the excellent climate of the Cape, and the fertility of the soil, the greatest advantages could not fail to be the result.

The *Chancellor of the Exchequer* said, it was a part of the plan that parishes should have the power of sending out persons who might be desirous of emigrating; but there ought to be nothing compulsory. When the parishes and the individuals chargeable on them were desirous, an opportunity would be afforded.

Mr. Alderman *Wood* was surprised that labourers should be removed from this country, when there was so much waste land in it that might be cultivated to advantage. There were about 80,000 acres of waste land, on which both corn and flax might be grown.

Mr. *Hutchinson* approved of the grant. The right hon. gentleman had said, that persons wishing to settle in the colony must make a deposit in this country; he wished to ask him, if such people as the distressed manufacturers and labourers of Cork, who had not the means of making any deposit, might not be exempted from this regulation? If government would give a loan to such persons, and afford them protection till they came to the colony, there could be little doubt, from the glowing language in which the right hon. gentleman had described that country, that they would soon be able to repay the sums advanced.

Mr. *Williams* was convinced that this country possessed within itself the means of employment for all its inhabitants, and that nothing more was necessary than to cultivate those lands which at present were waste.

The motion was agreed to.

RESOLUTIONS RESPECTING THE RETRENCHMENT OF THE PUBLIC EXPENDITURE.] Sir *Henry Parnell* said:—Mr. Speaker; In rising to move the order of the day for proceeding with the adjourned debate upon the Resolutions which I have laid before the House, concerning the Retrenchment of the public Expenditure [see p. 1429], I do not feel that it is necessary for me to make any observations upon the general question of the finances of the country; I shall confine what little I have to say, to explain, very shortly, the motives which have induced me to consider it a matter of public duty, not to suffer the session to close without calling the attention of the House to those parts of our public expenditure which ought immediately to be reduced. It has appeared to me, that a constant effort has been made by his majesty's ministers to establish an impression, that no important reduction could be made in our present scale of office establishments. The committee of finance, who have been the mere organ of government, in their first report of this session, in estimating what savings may be made in the expenditure of 1820, though they enumerate several items, do not say one word concerning the expenses for collecting the revenues, or any of the civil departments. The chancellor of the exchequer, when he opened his resolutions to the House, and went into a calculation to show how we might, in time, have a sinking fund of eight millions, took no credit for any retrenchment to be made in the expense for managing the public income and expenditure; and the noble lord, in his various financial statements, has been equally silent upon this subject. This omission to notice the possibility of reducing the expenses of the public departments, justifies the inference, that ministers have no intention to propose any such reduction, and makes it the duty of me, and of all other members, who feel convinced that a great saving may be effected by reforming the whole office system of the country, to call upon the House to take the subject under their consideration. It is not now, at this period of the session, a fit opportunity of discussing all the details which belonged to this important question, and which are pointed out in the resolutions; but I cannot help noticing one part of them, because it shows, in so clear a manner, in what way a considerable diminution of expense might be brought about. For instance, the collecting of the public revenues costs the country 7 per cent, namely, 4,200,000*l.* on 60 millions of revenue. Now, if it was possible to introduce such changes in the present plan, as to have this revenue collected, as every one must admit it might be, at an expense of five per cent, the whole charge would be 3 millions, and 1,200,000*l.* would be saved to the public. Other parts of the resolutions might easily be referred to, for the purpose of showing how more savings might be effected; but it is not my object now to discuss them. By bringing them, before the session closes, under the notice of the House, I hope they will be well examined during the recess, and that the House will feel it right to enter upon the discussion of them early in the next session. This is all that I have had in view in submitting them to the House, necessarily in a very imperfect manner, from having no opportunity of obtaining that official information which is absolutely necessary in order to be quite correct in making out statements of figures, showing the annual establishments of the several offices. For, although the reports of committees give a considerable quantity of information, there are so many ways of stating the same thing, and so many contingent items to be attended to, that it is quite impossible to know whether or not one is correct, unless there is a recent return, on the table of the House, from the office in question, of the actual expenses which belong to it.—I beg the House to observe, that, numerous as the resolutions are which I have found it necessary to draw up, many heads of the public expenditure are wholly omitted; namely, various payments out of the consolidated funds, all the miscellaneous services, and the whole of that part of the public expense which relates to the defence of the country, on account of the number of men which compose our army, our ships and seamen, and the ordnance military service. I am very well aware, that many gentlemen treat the notion of of any important retrenchment as altogether visionary, and attribute to those who urge it more zeal than skill in matters of finance. I am ready to admit to them, that little or nothing can be done, if we look at the question in the way that it has hitherto been treated. I do not think that much can be saved by dismissing a few clerks, or without some new principles are acted upon. The government must be deprived of the patronage it now possesses of appointing nearly all the officers in the different revenue departments; and great innovations must be made in the established forms of all the public offices concerned in the receipt or expenditure of the public money. Unless the House will consent to make such changes in old systems, as the new state of the financial difficulties absolutely require, as well as the modern improvements in conducting matters connected with money transactions, plausible reasons will be given in abundance to show, how very perfect all things always have been, and now are, and we shall pay just what we now pay for the management of the public money.—I am aware that this attempt to bring under the notice of the House the salaries and expenses belonging to each public office, will be held forth as a very unwarrantable interference, and that I shall be assailed by a very numerous body of persons who are interested in the continuation of the present rate of our expenses; but I feel so sure of being able, at the proper time, to support every thing I have advanced in these resolutions, by the best authorities, that I shall bear very patiently whatever attacks are made upon me, and seek to do myself justice in the next session; when I certainly shall renew this discussion.

The question being put upon the first Resolution,

Mr. *Long* said, he did not mean to impute to the hon. baronet any intention to misrepresent, but after he had stated that he had taken the greatest pains in giving every possible accuracy to his resolutions, he had been much surprised to find how very inaccurate they were. Every body had seen these resolutions; they had been inserted in every newspaper, and from the opportunities of information enjoyed by the hon. baronet, it was pretty widely believed that the facts stated by him were so accurate as to bid defiance to contradiction. The hon. baronet had given comparative statements of the rate of collection in the customs and in the excise, from which he would infer, that the collection of the one was extremely ill, and of the other extremely well managed; and that the customs and other branches of the revenue should be put under the same management as the excise. This appeared to him to be a very unfounded assumption. If, indeed, the sum to be collected was the same, and to be raised on the same principles, then, but not otherwise, could any such inference be warranted by a comparison of the per-centage. The hon. baronet, in mentioning the sum which was expended in the charge of management of the customs, had not adverted to the fact, that under that head were included many items of expense which had nothing to do with collection; for instance, the expenses connected with the navigation laws, the quarantine laws, and the warehousing system. The great object of this last-mentioned system was, the encouragement of trade; and to this end many articles which finally paid nothing to the custom duties, were admitted to be warehoused, and entailed a considerable expense on the customs department, to prevent their being smuggled into consumption.—The hon. baronet had compared the expense previously to 1810, with that at the present time; but he had omitted to state, that at that time the abolition of fees took place, which necessarily increased the rate of the expense to the public. The hon. baronet too, had stated from the report of commissioners in 1786, in proof of the intricacy which attended the collection of the customs, that 12 operations were made necessary before a cargo could be discharged. But since that time the course of business had been much improved, and a much smaller number of operations was necessary. He had also quoted the report of the committee of 1797, that a consolidation of the customs would be attended with advantages; but he had not stated, that since that time there had been four or five consolidations, one of which had been introduced in the present year. The hon.

baronet had also asserted in his resolutions, that the establishment of auditors of public accounts had not been attended with advantage, in consequence of the power which the Treasury had always exercised with regard to articles of allowance or surcharge. On this point he completely differed from the right hon. baronet; for if this power had been vested in the auditors themselves, was it likely that it would be exercised with so much caution as by the commissioners of the Treasury, who were in the House at all times to answer for themselves, and whose acts necessarily became objects of scrutiny? As to the establishment of the Pay-office, with which he (Mr. Long) was connected, it was stated in the resolutions to have increased from 20,729*l.* to 30,506*l.* In the war it was found necessary for the transaction of the business, that several deputy pay-masters should be appointed. Their retired allowances amounted to 5,300*l.* a year. The extra clerks who were now engaged in expediting accounts to the auditors, but whose salaries would be at an end with the business which they had to do, produced an expense of 8,000*l.* odd, leaving only 3,000*l.* of excess on the establishment since 1796, which the difference of circumstances would fully account for. At that time the number of persons receiving half pay was 3,000; they had now increased to 9,000. They were then paid twice a year, and only at the office; they were now paid four times a year, and wherever they chose to receive it: the case was the same with widows pensions. He should be sorry to be supposed to assert that no saving could be made in the collection of the revenue. He was one of a commission appointed to examine into that subject, and he was inclined to think, that some saving could be effected. But the House had already passed a resolution which pledged his majesty's ministers to economy, and which they would feel binding on them.

Lord *Palmerston* wished to make a few observations on the resolutions before the House, and also on a subject in some manner connected therewith—he meant the arrangements as to half-pay, which the ministers had pledged themselves to make. It had been his intention to have introduced into the Appropriation act a clause to omit the oath which officers receiving half-pay were now required to take; and it was his fault that he had not informed himself of the stage of the bill at which that clause could have been introduced. He had thought that it could be more conveniently, introduced on the third reading. As this could not be done, he had lost the opportunity of introducing the alteration this session. But as the government had been pledged on the subject, he was authorized to state, that an arrangement would be made which would answer the same purpose as the clause which he should have introduced. The clause in the Appropriation act applied to half-pay, and not to military allowances. By this arrangement on the part of the Treasury, a military allowance would be granted to all those officers who were deprived of their half-pay by the present act. As to the resolutions, he acquitted the hon. baronet of any intention to misrepresent facts, but he had never seen a set of resolutions so full of erroneous statements. It was no excuse that the hon. baronet had not access to official documents. He might have moved for those papers which would make him acquainted with the subject; but he had not made the best use of those papers which he had had access to. The hon. baronet had stated that the salaries in the commander in chief's office amounted in 1793 to only 813*l.* exclusive of any salary to the commander in chief. But the fact was, that at that time there was no commander in chief. Lord Amherst was general on the staff, and had no command but on the home station. But even in this establishment the hon. baronet had omitted a sum of 1,232*l.* voted for contingencies. The secretary to lord Amherst had at that time only 10*s.* a day; but he had a place in the War office worth 8 or 900*l.* a year, which scarcely required his attendance. When he retired from this office of 10*s.* a day, he had an allowance of 1*l.* a day; a proof that his pay formed a small part of his compensation. This mistake, however, was trifling, compared with that respecting the War office, in which the hon. baronet had omitted the sum of 49,000*l.* viz. 4,974*l.* for contingencies, 1,143*l.* for foreign corps, and 42,731*l.* the amount of fees paid at the office, of which 37,578*l.* were then actually paid by the public, and 5,163*l.* were paid by individuals, and then appropriated by official persons, but now applied to the public service. The whole expense of the office in 1796, was, with this addition, 57,400*l.* being 2,400*l.* more than the sum voted in the present year.

The hon. baronet had spoken of the expense of 18,000*l.* incurred in the examination of the arrears of accounts, but he might have seen by the finance reports, that sums varying from year to year, but never less than 90,000*l.* had been recovered by means of these examinations. The hon. baronet too spoke of the consolidation of the offices of paymaster of the army, treasurer of the navy, and treasurer of the ordnance, into a bank for military expenditure, and of the consolidation of the civil part of the office of commander in chief (it was difficult to say what part that was), of the office of secretary of war and comptroller of army accounts, as likely to diminish the charges of these establishments. This purpose would be more completely answered if the offices were abolished altogether; but if the hon. baronet thought that this change would effect a saving in the expense of the different services, he was much mistaken, as ten times the sum which was now expended on those establishments would be lost by the confusion which would be created.

Mr. *Calcraft* expressed his obligations to the hon. baronet for bringing forward his resolutions, and trusted that he would not be deterred from future inquiries by the criticisms which every man who talked of economy was exposed to from the bench opposite. The main resolutions had not been grappled with by the right hon. gentleman, that the revenue was collected at the enormous expense of 5,500,000*l.* Had he shown that it was collected at less? This was the key to the popularity and consequence of the present administration! So long as they had these 5,500,000*l.* to distribute, so long would they hear from those who received it, of their popularity. Something like a concession had been dropped by the right hon. gentleman, that some saving might be effected; a pretty good proof, that by rougher hands an important retrenchment was practicable. But, occupied with the correction of some trifling details, the gentlemen on the other side had given the go-by to this important question of the collection of the revenue. The right hon. gentleman indeed had said, have you not a resolution in favour of economy? It was true, they had—but what had they besides? Extravagant establishments and new taxes! He expected nothing from this paper kite of the chancellor of the exchequer; which was only to keep the people gazing while his new tax-gatherers were emptying their pockets.

Sir *T. B. Martin* entered into a statement to show, that the enormous apparent increase in the Dock yard establishments, was to be attributed, not to a real increase in the expense of the civil establishments of the navy, but to changes in the mode of paying the officers. The changes consisted in an increase of salaries in commutation for fees, perquisites and gratuities, and in bringing into the estimates many individuals who were before paid on the Dock-yard books, and consequently remunerated out of the sums voted in the gross for the building and repair of ships. The offices of measurers and timber masters had been created during the period comprised in the resolutions. These and all the other changes had been adopted, in consequence of the recommendation of the commissioners of naval inquiry and revision, and for the sake of economy. The increase of the establishments was apparent, but the good which had been done was hidden in the reports which had recommended these changes. If the hon. baronet had read the fifty folio volumes which contained them, he would not have proposed one of these resolutions [a laugh]. The hon. member then read three resolutions, which he said he should move if the original resolutions were not rejected. They comprised a statement of the facts which he had mentioned, and concluded by an observation, that comparisons of the establishments at different times, unaccompanied by these explanations, were calculated to mislead the public mind.

Colonel *Davies* did not conceive that the resolutions had been fairly met. In 1796, the expenses of the office of secretary at war, with 19 clerks, amounted to 16,070*l.* In 1806, there were 112 clerks employed in this office, and the expense was 29,970*l.* In 1819, there were 147 clerks employed, and the whole expenses of the office amounted to 47,937*l.* It should be recollected, that this increased expense had arisen in a time of profound peace. This of itself was sufficient to show the needless increase of expenditure with which the country was burthened. As to the commissioners of accounts, he must observe, that though appointed a considerable time back, they were not any further advanced than they were two or three years ago. It was time that the situation of the country should be seriously looked to. We had at present a standing army which cost the country 10,000,000*l.* a year; we had a national debt of upwards of 800,000,000*l.* If this was not sufficient to alarm the public mind, he could not tell what was. It was said that we had an effective sinking fund to the amount of 5,000,000*l.* For his part, he was of opinion that a sinking fund of 20,000,000*l.* would not be more than sufficient to relieve the country of its difficulties. He would support the resolutions of his hon. friend, and he thought the House and the country were indebted to him for having brought them forward.

Mr. *F. Douglas* begged to offer a few words on the counter statements which had been made to the resolutions. The House should recollect, that those resolutions had been drawn up without that official information which it was in the power of ministers only to give. But notwithstanding this, the hon. members opposite were unable to contradict the statements contained in them. It did not follow, that because the hon. baronet had made one or two trifling miscalculations, his statements were to be considered as altogether erroneous. That hon. member was entitled to the approbation of the country, from the manner in which he had brought forward those resolutions.

Mr. *Hutchinson* was convinced that unless reductions to a very considerable amount were speedily made in all the estimates and public expenditure great embarrassments were to be expected. The country was convinced that considerable reductions might be effected and had a right to expect that the exertions of government for the attainment of this object, should be proportioned to the distresses. No man could have read the finance reports of the last and the present year, or have examined with attention estimates, to the amount of several millions laid on the table a few months ago, without being convinced of the practicability of effecting very considerable reductions. He had, early in the session, attempted to draw the attention of the House to a strict investigation of such papers. From the extravagantly expensive system, long pursued by the British government, several disbursements sanctioned by time appeared necessary to the ministers of the day, whoever they might be; but which, he had no doubt, could be greatly diminished. He had many days since moved for returns relating to the Audit office at Lisbon, an establishment which might have been necessary at the period of its formation in 1813, but he more than doubted of its utility at the present moment. He had seen a calculation by which the expenditure of that establishment since 1813 exceeded 250,000*l.* To this heavy and useless expense he had called the attention of the chancellor of the exchequer several weeks ago, the hon. member for Aberdeen (Mr. Hume) had also moved for returns of the expenses, naval, military and others at St. Helena, which, however, had not as yet been produced. In the absence, then, of such documents, gentlemen who thought economy necessary, and who felt it to be their bounden duty to goad ministers on to topics so painful to them, could not always be correct in their calculations. He had himself seen statements which rated the annual expenditure as connected with St. Helena at upwards of 500,000*l.* Out of this sum, a very small proportion, varying from 20, to 30,000*l.* per annum seemed to have been allotted for a certain period to Longwood, but the same publications stated, that subsequent arrangements of an indelicate and extraordinary nature had been made to curtail even that allowance to this establishment, the expenditure of which, it was there reported, was attempted to be limited even to 8,000*l.* per annum. He did not wish to dwell on subjects likely to create angry discussion. Having recently read the publications alluded to, he should have considered himself guilty of a culpable abandonment of public duty, had he suffered parliament to separate without calling the attention of ministers, the House, and the public to this question. He had not been a party to the act of parliament which recognised the late emperor of France as a prisoner of state: of the policy of such a measure he had no hesitation in declaring his most unqualified disapprobation; a policy which in his opinion had fixed an eternal stain on the character of the country. But he would not now stop to discuss the policy or ascertain the motives which in a time of universal and profound peace could justify Great Britain in consenting to become the gaoler of any individual, however elevated in rank, as in the present instance, or, however humble to answer the views and affect the purposes of other states. Half a million annually expended at St. Helena for the security and protection of Great Britain! Impossible: it was for other objects, and with other motives, which ministers could not and dared not avow, but which the historian could not fail to detect, and record. Would the release of Napoleon involve Europe once more in all the calamities of war? No man acquainted with the state of things would assert this. But he asked, was the empire to be dishonoured in order to guard against a possible calamity affecting not in the least our own interests, and very questionably those of other nations, some of them too our natural enemies? He was not prepared so to purchase security by disgrace; but even as to France; there was no danger to be apprehended, for although in that kingdom, as elsewhere, are to be found many traces of a great and improving genius, whose good deeds will live after him when the recollection of his errors, mistakes, and imputed crimes shall, it is to be hoped, have perished with the individual, even there, as long as the king and the constituted authorities shall continue to extend and confirm the liberties of the empire, and are honest and serious in perfecting the constitution and securing to that great people, that to which they have entitled themselves by their talents, and their labours,—equality of rights, internal tranquillity, and the enjoyment of every domestic blessing; and as long as the polity of the government, in unison with the unanimous determination of all classes and ranks of the inhabitants, shall sustain her prominent rank among the nations of Europe, that rank which she is resolved to retain, and for which she is in every respect qualified, so long would the appearance of their former emperor, even in the heart of that country for which he has achieved so much, and where a continued peace is now so desirable, be attended with no danger whatever to the present order of things. But the policy of this imprisonment was not that to which he wished principally to direct the attention of the chancellor of the exchequer, whom he believed deserving of the character of humanity and moral worth, which he enjoyed in the public esteem; and he (Mr. H). was particularly anxious to point his attention to the publications in question, which proclaimed to the world a system of vexatious indelicate treatment, a littleness of conduct, a persecuting spirit towards Napoleon and his faithful adherents, which no man could peruse without indignation and disgust, without a mixed sensation of applause for, and admiration of the fidelity and heroic attachment of those whose only ambition seemed now to be permitted to share in the sufferings of their fallen master, and of reprobation of that policy which would inflict perpetual torture upon an individual deprived now of the power to injure or to do good, and who has been well described as a "being unequalled in the annals of human exaltation, unmatched in the records of fallen greatness." Did we mean to act towards Napoleon, who had confided himself to the vaunted generosity of this much boasted nation, as if England had no character to lose? If we credit these statements, a pitiful vindictiveness seemed to have been exercised towards him unworthy of that generous feeling which was once supposed to have distinguished the British nation. Imprisonment on a desolate and isolated rock, under a burning sun and in such a climate; deprivation of all the luxuries, and not unfrequently want of the comforts and even necessaries of life; in addition, condemnation now as it would seem almost to solitary confinement, form such an accumulated mass of human misery, as one would have imagined sufficient, without superadding indignities and slights which, however, it is some consolation to know cannot so much afflict him, as by setting at defiance every principle of national justice and national honour, they hold out to abhorrence that political expediency which has been adopted towards this dethroned and captive sovereign to the disgrace of this empire, and of the other great states of Europe. He would not enter into any detail of the outrages and cruelties alleged to be practised against him and his household; but he could not but observe upon the unheard of barbarity of removing from him, under any provocation, his medical attendant, at a moment, too, when his presence seemed absolutely necessary, after a severe attack of illness, and when Mr. O'Meara had just commenced, with his patient a course of medical treatment and as he considered at a very critical moment of the disease: and if there were wanting another instance of inhumanity, it was to be found in the forcing from him count De las Casas, who had been distinguished for his affectionate constancy, and whose continuance at Longwood was most desirable, and even necessary, to his master. If those statements were false, why were they not publicly contradicted? If true, why did not ministers immediately afford redress? If even doubtful, why not institute a strict and immediate inquiry? If it were deemed good policy still to confine this victim of adversity, in the name of religion, humanity, and justice, let him be treated with every indulgence, kindness, and tenderness, and let not the honour of the country be tarnished by marking towards him vindictive malice and ignominious treatment, much less unnecessary cruelty. Perpetual incarceration should surely satisfy the most malignant and revengeful. "The state policy and political expediency of perpetuating legitimate despotism, under the sanction of British law," would, he had thought have been abhorrent to every freeman. But if Napoleon must continue a state prisoner, no expense should be spared to furnish him with every comfort and, if possible, with every luxury, he should be placed where he should enjoy, without insult or taunt, the benefit of a salubrious climate, not confined to one proverbially bad. He was confident, notwithstanding the distresses of the country, that there was no individaal in it who would not for the mere purposes of humanity, readily contribute to this object. Even ministers had originally pledged themselves to ameliorate his condition in every way.

The *Chancellor of the Exchequer* said, that instead of the expenses on the St. Helena station costing the country 500,000*l.*, they did not cost more than one quarter of the sum. He then read a resolution of one of the committees lately agreed to by the House, and said that it called upon the executive government to do that which parliament could not itself do in the recess—he meant, to make retrenchments. So little was the executive inclined to shrink from the duty imposed upon it, that already was the work of retrenchment commenced, and the commission of inquiry issued. When he said this, he was not sanguine enough to expect that great retrenchments would be made, though he was far from wishing to discourage the House from expecting that some would be made. He could not help observing, with regard to the customs, that in former times the officers in that branch of the public service had in general been paid in fees which devolved to them; whereas at present all that came through their hands came into the public treasury, as their salaries were no longer paid by fees, but by a stipulated allowance given them by government. He concluded by moving that the debate on these resolutions be postponed until this day three months.

Sir *H. Parnell* spoke in reply as follows:—If, Sir, I felt myself under the necessity of seeking for an excuse for any errors in the resolutions, I could readily have found it in the assertion, that at least 100 folio volumes ought to have been carefully read by me, to prepare myself for the task of framing these resolutions. But, Sir, after all the loud and repeated assertions of the right hon. gentleman and noble lord opposite, I do not find myself in a situation to require me to make any excuse for the incorrectness of these resolutions. On the contrary, when I consider how many statements of figures they contain, I am surprised to find that I have escaped without more of them having been shown to be inaccurate. What, Sir, is the actual result of all that has been said against them? Why, that two of them are inaccurate; one relating to the office of secretary at war, the other relating to the Pay office. But before I proceed to make some remarks upon the War office and Pay office, I must stop to notice the tone and manner which the noble lord has thought proper to assume in delivering his sentiments upon these resolutions. He has not been satisfied with observing upon the inaccuracy in the 26th resolution, which I myself corrected, but he has thought proper to infer with an appearance of great triumph over me, from the inaccuracy of this resolution, that all the others were equally incorrect, and that I had proved myself incapable of the task which I had undertaken. Nothing was more easy nor is more common, than for a gentleman at the head of a very extravagant department, to get up and make assertions of this kind and, knowing how much weight a confident manner and a show of superior official information will carry with them, to attempt to impress upon the House such inferences which could not be sustained by facts, or a plain examination of the question. But the profusion and waste of public money in the public departments is too visible and notorious to allow these expedients to succeed, and though I may be exposed to the censure of the noble lord, I shall not be turned aside from my object, nor do I feel, from any thing that he has said, that I have any reason to doubt my being able to show that there exists in his office, as well as in every other office concerned in the expenditure of public money, a most extravagant scale of unnecessary and unjustifiable expense.—In respect to the error in framing the 26th resolution, I am able to say the error is not mine but that of the report of the committee of finance of 1797. In looking for the expense of the establishment of the office of secretary at war in 1796, I found the following statement. "Appendix (Q 2) establishment of the office of his majesty's secretary at war as it stood at Christmas 1796"—under which head is stated the salary of each officer—and a total of 8,256*l.* No note is made to lead the reader to suppose that there could possibly be any additional item, but it appears, that in official language the establishment of an office does not mean the expense which the country pays for an office, and that although an office may be returned at 8,256*l.* for its establishment, it may actually cost the country 42,731*l.* over and above that sum by payments made in the shape of fees—in this way it is, that the actual establishment of the War office cost 51,290*l.* in 1796, instead of 8,256*l.* and that I have been led to make the mistake which appears to have been made in the 26th resolution. Another mistake has been made in stating the establishment of the Pay office at 15,354*l.* But here again the error originates with the report of the committee of finance of 1797. In stating the salaries of the deputy paymasters, the salary is given at 1*l.* 10*s.* per diem each, and a total sum is given which every one would read as if for 6 paymasters, in consequence of an omission to repeat the word "each." In this way it appears that the sum of 20,729*l.* ought to be in the resolution in place of the sum of 15,354.—The noble lord has attempted to show an inaccuracy in the 25th resolution respecting the commander in chief's office. He says that to the sum of 813*l.* the contingencies of the office ought to have been added to make a fair contrast in the establishment of the office in 1819—but the resolution, by dividing the present establishment into two sums, one for salaries and the other contingencies, shows the exact comparison between the amount of salaries now and in 1793. The noble lord has attributed to me, that I was ignorant of their being no commander in chief in 1793, by giving a wrong construction to the words "exclusive of any salary to the commander in chief". But he has here fallen into a great error; because I selected the word "any" and did not make use of the word "the" as I would have done if there had been a commander in chief. The noble lord has boasted of the sums which have been recovered for the public by that part of his office which is employed at an expense of 18,000*l.* per annum in examining the arrear accounts, but here, he wholly mistakes the purport of my resolutions. For what I complain of is, that there should exist any opportunity of thus recovering the public money, that the public money should be exposed to such jeopardy; and that after paying such an enormous sum annually for the noble lord's office for settling accounts, which is the whole business of the office, that the work is not done; that the accounts remain unsettled; that public accountants are allowed this opportunity of defrauding the public; and that an extra establishment is to be kept up at an expense of 18,000*l.* per annum to do the business which ought to have been done by the office under its regular establishment.—The noble lord has spoken of the 31st resolution which recommends the consolidation of the military offices of paymaster of the army, treasurer of the navy, and treasurer of the ordnance, as one which would be wholly subversive of all proper control, and the whole established system of managing the public money. But this is merely an official opinion in favour of old rules and extravagant establishments. Because if there is one resolution more supported by sound authority than another, it is this resolution: The finance committee of 1817 in speaking of the office of treasurer of the navy say, "The duty of this department differs but little from that of an ordinary banker." The duties of the pay master of the army and of the treasurer of the ordnance, are exactly similar. These officers receive the money for the army, navy, and ordnance imprest from the Treasury, and pay it upon proper official certificates, sent to them by the navy board, the secretary at war, and the ordnance board, to those who are entitled to receive it. The only difference between these officers and ordinary banks is, that the one is conducted upon principles of antient office rules, and the other upon the common principles of merchants and bankers. As to the office of paymaster of the army, the noble lord has not so much advantage over me from official experience as he may imagine, because I had an opportunity of ascertaining, when in office myself as a lord of the Irish Treasury, the whole of the duties of this office; for in Ireland there was no paymaster, but all the business of that office was performed by the Irish Treasury-board. I have, therefore, acted as a paymaster of an army of 60,000 men, and I can say positively that the proposed consolidation might be effected without any detriment to the public service.—The right hon. gentleman (Mr. Long) has said that it was very incorrect to suppose that the customs revenues could be collected for as low a per-centage as the excise revenues, and has attributed to me the intention to blame the collection of the customs, because it is so much above that of the excise, but I have not contrasted the two together with any such view. I only wish to show that the rate of collecting the customs, considering the nature of the business, is higher in proportion than it ought to be to the rate for collecting the excise, and I attribute the difference to the Treasury influence which prevails in the one, and is but little known in the other. I mean distinctly to say this, that if the appointment of all the customs officers was vested in the board, the board would be able to collect the customs revenues at a lower rate than they now do collect them. The right hon. gentleman has endeavoured to show, that I have been incorrect in saying that a variety of useless forms were required at the Custom-house, because a number of alterations have been made since the date of the report of the commissioners of accounts, but I confidently assert, that the forms which I allude to still exist, and I feel that I am borne out in this assertion by the admission of the right hon. gentleman in the latter part of his speech, that he was now occupied as a member of a commission in preparing a report to recommend the abolition of many of the existing forms. The right hon. gentleman has found fault with the resolution which states, that the arrear in the examination of the public accounts of the auditors is owing, in some degree, to the interference of the Treasury; but in this resolution I have quoted the exact words of the 5th report of the committee of 1810. It is worthy of remark, that he has wholly omitted to take notice of the most material part of this resolution, which states that notwithstanding between 50 and 60,000*l.* a year is paid to the commissioners for auditing the public accounts, that the examination of them is some years in arrear. This circumstance forms one of the most glaring proofs of the unfitness and extravagance of the existing system for managing the public finances. For although this immense sum is annually paid, the public business is not done; there is no adequate return to the public for the money which is taken out of their pockets for settling the public accounts. Every one who can get hold of the public money under the pretext of being a public accountant, is able to calculate that he can escape being detected of any abuse he may be guilty of, for many years, for want of the enforcement of the laws for finally examining and settling all public accounts. —In respect to what had been said by the comptroller of the navy, I am ready to admit that the changes which have taken place in the way of making up the estimates, does not allow of a fair comparison between the sums voted this year and in 1795 for the Dock yards; but then the hon. member has not denied the fairness of comparing the estimates for 1819 and 1813, and this comparison is quite sufficient to make out my case, which is this, that if 212,142*l.* was a proper sum in 1813, the 10th year of war, 225,000*l.* must be a very exorbitant one for the salaries and contingencies of the Dock-yards at home in 1819, the fourth year of peace.

In regard to the general effect which I wish to produce by these resolutions in impressing upon the House a just notion of the great extravagance of our official system, I feel confident of succeeding, because I am fully borne out in all I have advanced in these resolutions by the reports of committees of this House, or of commissioners of inquiry. They all censure the interference of the Treasury for the sake of patronage; the perplexed plans of keeping the public accounts; the useless and confused forms of office; and the progressive increase of salaries, incidents, allowances, superannuities, and compensations in all the public offices.

I certainly have heard nothing this evening to induce me to abandon the undertaking. I shall certainly bring forward the whole subject matter contained in the resolutions under separate heads and motions early in the ensuing session.

The farther consideration of the Resolutions was adjourned till this day three months.

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Storekeeper-General's Department.] On the motion of Mr. Hume, the order was read for resuming the discussion of the Resolutions with respect to the Storekeeper-General's department, [see p. 1505] but, sir J. Marjoribanks moved that the House should be counted, after stating it as his opinion, that it would be indelicate to enter into such a discussion in so thin a House, and in the absence of gentlemen most competent to speak to the subject. The House was accordingly counted, and there being only 31 members present, an adjournment took place.

## HOUSE OF LORDS.

*Tuesday, July* 13.

The Speaker's Speech to the Prince Regent on presenting the Money Bill.] This day his royal highness the Prince Regent came in the usual state to the House of Peers. His royal highness having taken his seat on the throne, the gentleman usher of the Black Rod was directed to require the attendance of the House of Commons. In a few minutes the Speaker, attended by a great number of the members of the House of Commons, appeared at the bar.

The *Speaker* delivered at the bar the following Speech:

" May it please your Royal Highness;

" We, his Majesty's faithful Commons of the united kingdom of Great Britain and Ireland, in parliament assembled, attend your Royal Highness with our concluding bill of supply.

" The subjects which have occupied our attention, have been more numerous, more various, and more important, than are usually submitted to the consideration of parliament in the same session.

" Upon many of these subjects we have been engaged in long and unwearied examinations; but such has been the pressure of other business, and particularly of that which ordinarily belongs to a first session of parliament; and such the magnitude and intricacy of many of those inquiries, that the limits of the present session have not allowed of bringing them to a close.

" But, Sir, of those measures which we have completed, the most prominent, the most important, and, as we trust, in their consequences, the most beneficial to the public, are the measures which have grown out of the consideration of the present state of the country, both in its currency and its finances.

" Early, Sir, in the present session, we instituted an inquiry into the effects produced on the exchanges with foreign countries, and the state of the circulating medium, by the restriction on payments in cash by the Bank. This inquiry was most anxiously and most deliberately conducted, and in its result led to the conclusion, that it was most desirable, quickly, but with due precautions, to return to our ancient and healthful state of currency; that whatever might have been the expediency of the acts for the suspension of payments in cash at the different periods at which they were enacted (and doubtless they were expedient, whilst the country was involved in the most expensive contest that ever weighed down the finances of any country), still that the necessity for the continuance of these acts having ceased, it became us with as little delay as possible (avoiding carefully the convulsion of too rapid a transition) to return to our ancient system; and that if at any period, and under any circumstances, this return could be effected without national inconvenience, it was at the present, when this mighty nation, with a proud retrospect of the past, after having made the greatest efforts, and achieved the noblest objects, was now reposing in a confident, and, as we fondly hope, a well-founded expectation of a sound and lasting peace.

" In considering, Sir, the state of our finances, and in minutely comparing our income with our expenditure, it appeared to us, that the excess of our income was not fairly adequate for the purposes to which it was applicable—the gradual reduction of the national debt. It appeared to us that a clear available surplus of at least 5,000,000*l.* ought to be set apart for that object. This, Sir, has been effected by the additional imposition of 3,000,000*l.* of taxes.

" Sir, in adopting this course, his Majesty's faithful Commons did not conceal from themselves that they were calling upon the nation for a great exertion; but well knowing that honour, and character, and independence, have at all times been the first and dearest objects of the hearts of Englishmen, we felt assured, that there was no difficulty that the country would not encounter, and no pressure to which she would not willingly and cheerfully submit, to enable her to maintain, pure and unimpaired, that which has never yet been shaken or sullied—her public credit, and her national good faith.

"Thus, Sir, I have endeavoured, shortly, and I am aware how imperfectly, to notice the various duties which have devolved upon us, in one of the longest and most arduous sessions in the records of parliament. The bill, Sir, which it is my duty to present to your Royal Highness, is intituled, 'An act for applying 'certain monies therein mentioned for 'the service of the year 1819, and for 'further appropriating the supplies granted 'in this session of parliament.' To which, with all humility, we pray his Majesty's royal assent.

The royal assent was immediately given to the said bill.

THE PRINCE REGENT'S SPEECH AT THE CLOSE OF THE SESSION.] The Prince Regent then delivered the following Speech:

"My Lords and Gentlemen;

"It is with great regret that I am again obliged to announce to you the continuance of his Majesty's lamented indisposition.

"I cannot close this session of parliament without expressing the satisfaction that I have derived from the zeal and assiduity with which you have applied yourselves to the several important objects which have come under your consideration.

"Your patient and laborious investigation of the state of the circulation and currency of the kingdom demands my warmest acknowledgments; and I entertain a confident expectation that the measures adopted, as the result of this inquiry, will be productive of the most beneficial consequences.

"Gentlemen of the House of Commons;

"I thank you for the supplies which you have granted for the service of the present year.

"I sincerely regret that the necessity should have existed of making any addition to the burthens of the people; but I anticipate the most important permanent advantages from the effort which you have thus made for meeting at once all the financial difficulties of the country; and I derive much satisfaction from the belief, that the means which you have devised for this purpose are calculated to press as lightly on all classes of the community as could be expected when so great an effort was to be made.

"My Lords and Gentlemen;

"I continue to receive from foreign powers the strongest assurances of their friendly disposition towards this country.

"I have observed with great concern the attempts which have recently been made in some of the manufacturing districts, to take advantage of circumstances of local distress, to excite a spirit of disaffection to the institutions and government of the country. No object can be nearer my heart than to promote the welfare and prosperity of all classes of his Majesty's subjects; but this cannot be effected without the maintenance of public order and tranquillity.

"You may rely, therefore, upon my firm determination to employ for this purpose the powers intrusted to me by law; and I have no doubt that, on your return to your several counties, you will use your utmost endeavours, in co-operation with the magistracy, to defeat the machinations of those whose projects, if successful, could only aggravate the evils which it is professed to remedy; and who, under the pretence of reform, have really no other object but the subversion of our happy constitution."

Then the Lord Chancellor, by the Prince Regent's command, said,

"My Lords and Gentlemen;

"It is the will and pleasure of his royal highness the Prince Regent, acting in the name and on behalf of his Majesty, that this parliament be prorogued to Tuesday the 24th of August next, to be then here holden; and this parliament is accordingly prorogued to Tuesday the 24th of August next."

# LIST OF PUBLIC GENERAL ACTS,

*Passed in the First Session of the Sixth Parliament of the United Kingdom of Great Britain and Ireland.—59 GEO. III. A.D.* 1819.

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1. An Act to provide for the care of his majesty's royal person during the continuance of his majesty's illness.
2. For reviving and further continuing, until the first day of May 1819, an Act made in the fifty-first year of his present majesty, intituled 'an Act to extend an act made in 'the 18th year of his late majesty king 'George the second, to explain and amend 'the laws touching the elections of the 'knights of the shire to serve in parliament 'for England, respecting the expenses of 'hustings and poll clerks so far as regards 'the city of Westminster.'
3. For continuing to his majesty certain duties on malt, sugar, tobacco, and snuff, in Great Britain; and on pensions, offices, and personal estates, in England; for the service of the year 1819.
4. For raising the sum of twenty millions, by exchequer bills, for the service of the year 1819.
5. To ascertain the tonnage of vessels propelled by steam.
6. To enable his majesty to direct the distribution of any reward awarded by the commissioners of the customs of excise to the officers of the army, navy, or marines, for apprehending smugglers, in such manner as his majesty shall be pleased to appoint.
7. To regulate the cutlery trade in England.
8. To continue, until the 25th of March 1820, an act of the last session of parliament, for preventing aliens from becoming naturalized or being made or becoming denizens, except in certain cases.
9. For punishing mutiny and desertion; and for the better payment of the army and their quarters.
10. For the regulating of his majesty's royal marine forces while on shore.
11. To indemnify such persons in the United Kingdom as have omitted to qualify themselves for offices and employments, and for extending the time limited for certain of those purposes respectively, until the 25th of March 1820, and to permit such persons in Great Britain as have omitted to make and file affidavits of the execution of indentures of clerks to attornies and solicitors, to make and file the same on or before the first day of Hilary Term 1820, and to allow persons to make and file such affidavits, although the persons whom they served shall have neglected to take out their annual certificates.
12. To amend the laws for the relief of the poor.
13. To continue two acts of the 56th and 58th years of his present majesty, for reducing the duties payable on horses used for the purposes therein mentioned, to the 5th of April 1821: and to reduce the duties chargeable under certain acts of the 48th and 52nd years of his present majesty, in respect of certain horses, mares, geldings and mules.
14. To continue, until the first day of July 1823, an act of the 46th year of his present majesty, for permitting the exportation of wool from the British plantations in America.
15. To continue, until the 1st of July 1821, an act of the 54th year of his present majesty, for granting certain duties on merchandise imported into Ireland from any place within the limits of the charter granted to the united company of merchants of England trading to the East Indies.
16. To carry into effect the treaty with the Netherlands, relating to the slave trade.
17. To amend an act of last session of parliament, for carrying into execution a convention made between his majesty and the king of Portugal, for the preventing the traffic in slaves.
18. To make perpetual an act of the 44th year of his present majesty for permitting the exportation of salt from the port of Nassau in the island of New Providence, the port of Exuma and the port of Crooked Island in the Bahama Islands, in American ships coming in ballast.
19. To render, until the 5th of July 1820, the growing produce of the consolidated fund of the united kingdom, arising in Great Britain, available for the public service.
20. To enable the commissioners of his majesty's Treasury to issue exchequer bills, on the credit of such aids or supplies as have been or shall be granted by parliament for the service of the year 1819.
21. To amend several acts for purchasing an estate for the duke of Wellington.
22. For the further regulation of his majesty's household, and the care of his royal person, during the continuance of his indisposition.
23. To restrain, until the end of the present session of parliament, the governor and company of the Bank of England from making payments in cash under certain notices given by them for that purpose.

24. To restrain, until the end of the present session of parliament, the governor and company of the Bank of Ireland from making payments in the gold coin of this realm, under certain notices given by them.
25. To enable his majesty to fix the rate and direct the disposal of freight money, for the conveyance of specie and jewels on board his majesty's ships and vessels.
26. For fixing the rates of subsistence to be paid to innkeepers and others on quartering soldiers.
27. To facilitate the trial of felonies committed on board vessels employed on canals, navigable rivers, and inland navigations.
28. To empower magistrates to divide the court of quarter sessions.
29. To repeal the duties on mineral alkali, and on articles containing mineral alkali and other articles, and to impose other duties in lieu thereof.
30. For vesting in commissioners the line of road from Shrewsbury in the county of Salop to Bangor Ferry in the county of Carnarvon, and for discharging the trustees under several acts of the 17th, 28th, 36th, 41st 42nd, 47th, and 50th years of his present majesty, from the future repair and maintenance thereof; and for altering and repealing so much of the said acts as affects the said line of road.
31. To enable certain commissioners fully to carry into effect, several conventions for liquidating claims of British subjects, and others, against the government of France.
32. To continue until the 5th day of July 1822, and amend so much of an act made in the 55th year of his present majesty, for granting, until the 5th of April 1819, additional duties of excise in Great Britain, as relates to tobacco, and snuff, and certain excise licenses.
33. To continue, until the 1st day of July 1821, several acts of the 54th and 55th years of his present majesty, respecting the duties of customs payable on merchandize imported into Great Britain, from any place within the limits of the charter granted to the united company of merchants of England trading to the East Indies.
34. To amend and render more effectual several acts for enabling the commissioners for the reduction of the national debt to grant life annuities, and to empower the said commissioners to grant annuities for lives or years, for promoting the beneficial purposes of the fund commonly called the Waterloo Subscription.
35. To amend an act, passed in the 55th year of the reign of his present majesty, intituled "An Act, to facilitate the administration of justice in that part of the united kingdom called Scotland, by extending trial by jury to civil causes."
36. To repeal certain acts now in force for regulating the making and sale of bread, out of the city of London, and the liberties thereof, and beyond the weekly bills of mortality, and ten miles of the royal exchange, where no assize is set; and for establishing other provisions and regulations relative thereto.
37. For further regulating the qualification of members to serve in the United parliament of Great Britain and Ireland.
38. To enable his majesty to make regulations with respect to the taking and curing fish on certain parts of the coast of Newfoundland, Labrador, and his majesty's other possessions in North America, according to a convention made between his majesty and the United States of America.
39. For the more frequent payment, into the receipt of the Exchequer at Westminster, of monies arising from the duties of customs, excise, stamps, and postage in England.
40. To secure spiritual persons in the possession of benefices in certain cases.
41. To establish regulations for preventing contagious diseases in Ireland.
42. For raising the sum of twelve millions by way of annuities.
43. To authorize the receipt and appropriation of certain sums voluntarily contributed by the most noble John Jeffries marquis Camden, in aid of the public service.
44. To amend an act passed in the 57th year of his present majesty, for the more effectual punishment of murders, manslaughters, rapes, robberies, and burglaries committed in places not within his majesty's dominions, as relates to the trial of murders manslaughters, rapes, robberies burglaries committed in Honduras.
45. To explain and amend certain acts relative to the court of session in Scotland.
46. To abolish appeals of murder, treason, felony, or other offences, and wager of battle, or joining issue and trial by battle in writs of right.
47. To indemnify persons who shall give evidence before the Lords spiritual and temporal on the bill for preventing bribery and corruption at the election of members to serve in parliament for the borough of Barnstaple, in the county of Devon.
48. To amend an act passed in the 55th year of his present majesty, for granting to his majesty the sum of twenty thousand pounds towards repairing roads between London and Holyhead by Chester, and between London and Bangor by Shrewsbury; and for giving additional powers to the commissioners therein named, to build a bridge over the Menai Straits, and to make a new road from Bangor ferry to Holyhead, in the county of Anglesea.
49. To continue the restrictions contained in several acts on payments in cash by the Bank of England, until the 1st of May 1823, and to provide for the gradual resumption of such payments, and to permit the exportation of gold and silver.

50. To amend the laws respecting the settlement of the poor, so far as regards renting tenements.
51. To relieve persons compounding for their assessed taxes, from an annual assessment for the term of three years.
52. To repeal the several duties of customs chargeable in Great Britain, and to grant other duties in lieu thereof.
53. For granting to his majesty certain additional duties of excise on tea, coffee, and cocoa nuts, tobacco and snuff, pepper, malt, and British spirits, and consolidating the same with the former duties thereon; and for amending certain laws of excise relating thereto.
54. To carry into effect a convention of commerce concluded between his majesty and the United States of America, and a treaty with the prince regent of Portugal.
55. To extend the provisions of three acts of the 52nd, 53rd, and 57th years of his present majesty, for allowing British plantation sugar and coffee, and other articles imported into Bermuda in British ships to be exported to America in foreign vessels, and to permit articles, the produce of America, to be imported into Bermuda in foreign ships, to certain other articles.
56. To make further regulations as to the payment of navy prize orders.
57. To alter and amend certain laws of excise in respect to salt and rock salt.
58. For facilitating the recovery of the wages of seamen in the merchant service.
59. To extend the provisions of an act made in the 55th year of his present majesty, for the payment of wages due to deceased seamen and marines, to wages due to intestate bastards.
60. To permit the archbishops of Canterbury and York, and the bishop of London, for the time being, to admit persons into holy orders specially for the colonies.
61. To enable counties and stewartries in Scotland to give aid to royal burghs situated therein, for the purpose of improving enlarging, or rebuilding their gaols; or to improve, enlarge, or rebuild common gaols of counties and stewartries which are not the gaols of royal burghs.
62. For the protection of banks for savings in Scotland.
63. To explain an act passed in the 55th year of his present majesty, for purchasing an estate for the duke of Wellington.
64. To facilitate proceedings against the warden of the fleet, in vacation.
65. For granting to his majesty a sum of money to be raised by lotteries.
66. To make further provisions for the regulation of cotton mills and factories, and for the better preservation of the health of young persons employed therein.
67. To continue, until the 30th day of July 1820, an act of the 54th year of his present majesty, for the effectual examination of accounts of the receipt and expenditure of the colonial revenues in the islands of Ceylon, Mauritius, Malta, Trinidad, and in the settlements of the Cape of Good Hope.
68. For exonerating the manor of Dawlish, in the county of Devon, from the claims of the crown against the estate of John Inglett Fortescue, esquire.
69. To prevent the enlisting or engagement of his majesty's subjects to serve in foreign service, and the fitting out or equipping in his majesty's dominions, vessels for warlike purposes, without his majesty's licence.
70. To repeal certain acts of the parliament of Scotland, regarding duelling.
71. For raising a loan of twelve millions from the commissioners for the reduction of the national debt.
72. To grant to his majesty an additional duty of excise on tobacco in Ireland.
73. To repeal several acts, requiring the masters of vessels carrying certificate goods to Ireland to take duplicates of the contents; prohibiting the importation of certain wrought goods, and the exportation of gunpowder when the price shall exceed a certain sum.
74. To allow the importation of tobacco from the East Indies and other places; and for confining the exportation of tobacco from Great Britain, and the importation thereof into Ireland, to vessels of seventy tons burthen and upwards.
75. To continue, until the 5th day of July, 1820 two acts, made in the 54th and 56th years of his present majesty, for regulating the trade in spirits between Great Britain and Ireland reciprocally.
76. To establish farther regulations respecting advances by the Bank of England for the public service, and the purchase of government securities by the said Bank.
77. To continue, until the 24th day of June, 1826, an act for amending the laws relating to the allowance of the bounties on pilchards exported.
78. For transferring the duty of the supervisor of the receiver general's receipts and payments to the comptroller general of the customs in England.
79. To continue, until the 1st day of August, 1820, two acts of the 45th and 50th years of his present majesty, allowing the bringing of coals, culm, and cinders, to London and Westminster by inland navigation.
80. An act concerning common recoveries to be suffered by attorney in courts of ancient demesne; and to explain an act of his present majesty, relative to the sale or mortgaging of estates of lunatics.
81. To amend an act of the last session of parliament for appointing commissioners to inquire concerning charities in England for the education of the poor; and to extend the powers thereof to other charities in England and Wales; to continue in force until the 1st of August, 1823, and from

thence until the end of the then next session of parliament.

82. To amend an act made in the 55th year of his present majesty's reign, for enabling the commissioners of customs and port duties in Ireland to purchase premises for erecting docks, warehouses, and offices in Dublin.

83. To grant duties of customs, and to allow drawbacks on certain goods, wares, and merchandize, imported into and exported from Ireland, in lieu of former duties and drawbacks on the like articles; and to make farther regulations for securing the duties of customs in Ireland.

84. To amend the laws for making, repairing, and improving the roads and other public works in Ireland, by grand jury presentments, and for a more effectual investigation of such presentments, and for farther securing a true, full, and faithful account of all monies levied under the same.

85. To amend and correct an act of the last session of parliament, for the regulation of parish vestries in England.

86. For regulating the exercise of the right of common of pasture in the New Forest, in the county of Southampton; for repealing certain parts of two acts passed in the 39th and 40th and the 52nd years of his present majesty; and for the better collection and recovery of the Gale rents in the forest of Dean, in the county of Gloucester.

87. To grant to his majesty certain duties of excise in Ireland on malt.

88. To repeal the annual excise duties upon malt, tobacco, and snuff, continued by an act of the present session of parliament, and to grant other duties in lieu thereof, for the service of the year ending the 5th day of July, 1820.

89. To continue, until the 10th of October, 1824, an act made in the 57th year of his present majesty, for suspending a part of the duties on sweets or made wines.

90. For the prevention of frauds in the duties on soap; for preserving the books or papers called Specimens, left by officers of excise on the premises of traders; and for requiring more speedy payment of the excise duties on printed calicoes.

91. For giving additional facilities in applications to courts of equity, regarding the management of estates or funds belonging to charities.

92. To enable justices of the peace in Ireland to act as such, in certain cases, out of the limits of the counties in which they actually are; to make provision for the execution of warrants of distress granted by them; and to authorize them to impose fines upon constables and other officers for neglect of duty, and on masters for ill usage of their apprentices.

93. To continue for one year, and from thence until the end of the then next session of parliament, an act, made in the 56th year of his present majesty's reign, to make provision for securing the profits of the office of clerk of the pleas of his majesty's court of exchequer in Ireland.

94. To explain and amend two acts, passed in the 39th and 40th and 47th years of his present majesty, concerning the disposition of certain real and personal property of his majesty, his heirs, and successors.

95. For confirming ancient separations of towns corporate from parishes, in regard to the maintenance of the poor.

96. To facilitate the trials of felonies committed on stage coaches and stage waggons and other such carriages, and of felonies committed on the boundaries of counties.

97. To extend the provisions of an act made in the forty-sixth year of his majesty's reign, intituled, "An Act for the more speedy trial of offences committed in distant parts upon the seas," to the trial of offences committed in Africa against the laws for abolishing the slave trade.

98. To limit the continuance of the operation of the several acts for imposing fines upon town-lands and places in Ireland, in respect of offences relating to the unlawful distillation of spirits, and to amend the said acts; and to provide for the more effectual prevention or suppression of such offences.

99. To continue, until the 1st day of June, 1823, the restrictions on payments in cash by the Bank of Ireland, and to direct the gradual resumption of cash payments by the said Bank.

100. To amend an act of the 50th year of the reign of his present majesty, relating to prisons in Ireland.

101. To enlarge the powers of an act passed in the 56th year of his present majesty, relative to the transportation of offenders, to continue until the 1st day of May, 1821.

102. For farther regulating the appointment of game-keepers in Wales.

103. To repeal so much of two acts as require certain accounts to be laid before parliament; and to amend an act of the 26th year of his present majesty, relative to laying an account before parliament.

104. To continue until the 5th day of July, 1820, certain laws of excise, with regard to crown glass, and flint and phial glass, and to alter certain laws with regard to flint glass.

105. For granting to his majesty an additional countervailing duty on spirits extracted in England or Ireland respectively, and imported into Scotland; and for repealing the additional duty on licences taken out by retailers of sweets in Great Britain; and for exempting from all countervailing duties the leather and glass of carriages brought by persons for private use from Ireland into Great Britain, or from Great Britain into Ireland.

106. To amend the several acts for securing the payment of the duties of excise upon

certain licences, and regulating the issuing of such licences; and for securing the duties upon spirits distilled by licenced distillers in Ireland.

107. To consolidate and amend several acts for regulating the granting of permits and certificates for the conveyance and protection of certain goods in Ireland.

108. To amend several acts relating to the post-office and conveyance of letters in Ireland.

109. For the farther encouragement and improvement of the Irish fisheries.

110. To remove doubts respecting the dues payable to the Levant company.

111. To repeal so much of an act passed in the 55th year of his present majesty, as relates to the postage and conveyance of letters to and from the Cape of Good Hope, Ceylon, the Mauritius, and the East Indies; and to make other regulations respecting the postage of such letters and packets, and other letters and packets sent by the post.

112. To grant, until the 5th of July, 1821, an additional bounty on the exportation of certain silk manufactures of Great Britain.

113. For continuing the premiums allowed to ships employed in the southern whale fishery.

114. To stay proceedings against any governor or other persons concerned in imposing and levying duties in New South Wales; to continue, until the 1st day of January, 1821, certain duties; and to empower the said governor to levy a duty on spirits made in the said colony.

115. To repeal the duties and drawbacks of excise on plates or sheets of plate glass, and to impose other duties and allow other drawbacks in lieu thereof.

116. To defray the charge of the pay, clothing, and contingent expenses of the disembodied militia in Great Britain; and for granting allowances in certain cases to subaltern officers, adjutants, quarter-masters, surgeons, surgeons mates, and serjeant majors of militia, until the 25th of March, 1820.

117. For defraying, until the 25th of June, 1820, the charge of the pay and clothing of the militia of Ireland; and for making allowances to officers and quarter-masters of the said militia during peace.

118. To give relief in certain cases of assessment of taxes in Great Britain, and to persons compounding for their assessed taxes in Ireland, from an annual assessment, for three years, from the 6th day of January, 1820.

119. To explain and amend an act passed in the 31st year of his majesty king George 2nd, for the encouragement of seamen employed in the royal navy, as it relates to certain allowances to navy agents.

120. For establishing a registry of colonial slaves in Great Britain, and for making farther provision with respect to the removal of slaves from British colonies.

121. To make farther regulations for the prevention of smuggling.

122. To permit vessels, under a certain tonnage, to trade between the united kingdom and New South Wales.

123. To empower the officers of the customs in Great Britain to allow reports of vessels cargoes to be amended; to require goods which have been warehoused without payment of duties, or being prohibited, warehoused for exportation; to be put on board vessels by persons licensed for that purpose; to direct that cocquet and bond shall be required for slate and stone carried coastwise; and to empower officers of the customs to administer oaths.

124. For amending an act made in the 43rd year of the reign of his present majesty, for regulating the vessels carrying passengers from the united kingdom to his majesty's plantations and settlements abroad, or to foreign parts, with respect to the number of such passengers, and for making farther provision for that purpose.

125. To admit certain goods, imported from the East Indies, to entry and payment of duty without being warehoused; and to permit the exportation of certain East India goods to Guernsey and Jersey, and the removal of certain East India goods to Liverpool, Lancaster, Bristol, and Glasgow, for exportation.

126. For requiring the like proof, to obtain drawback of duty on coals used or consumed in calcining or smelting tin, copper, or lead ores, in the counties of Devon and Cornwall, as is required on coals used in mines of tin, copper, or lead, in the said counties.

127. For making provision for the better care of pauper lunatics in England.

128. For the farther protection and encouragement of friendly societies, and for preventing frauds and abuses therein.

129. To continue in force, until the expiration of three calendar months after the commencement of the next session of parliament, three acts of his present majesty, for the relief of insolvent debtors in England.

130. To continue the several acts for the relief of insolvent debtors in Ireland, until the 1st of June, 1820.

131. For raising the sum of sixteen millions five hundred thousand pounds by Exchequer bills, for the service of the year 1819.

132. For raising the sum of two millions British currency, by Treasury bills in Ireland, for the service of the year 1819.

133. For applying certain monies therein mentioned for the service of the year 1819; and for farther appropriating the supplies granted in this session of parliament.

134. To amend and render more effectual an act passed in the last session of parliament, for building and promoting the building of additional churches in populous parishes.

# I.

An Account of the Nett Produce of the Public Revenue of Great Britain and Ireland, in the year ended 5th January 1819, compared with the Estimate presented in the Fourth Report of the Committee of Finance.

| | Estimate of the Committee. | Actual Produce. | Permanent Duties. | |
|---|---|---|---|---|
| | | | More than Estimate. | Less than Estimate. |
| Great Britain. | £ | £. | £. | £. |
| Customs | 9,340,657 | 9,996,226 | 655,569 | — |
| Excise | 22,591,364 | 22,894,450 | 303,086 | — |
| Assessed and Land Taxes | 7,136,864 | 7,427,276 | 290,412 | — |
| Stamps | 6,132,080 | 6,391,270 | 259,190 | — |
| Post Office | 1,485,500 | 1,339,000 | - - - | 146,500 |
| Miscellaneous | 245,000 | 368,099 | 123,099 | — |
| | £.46,931,465 | 48,416,321 | 1,631,356 | 146,500 |
| Unappropriated War Duties | | 566,639 | 146,500 | Decrease deducted. |
| | | 48,982,960 | £. 1,484,856 | Permanent Duties more than Estimate. |
| Estimate of the Committee | | 46,931,465 | | |
| Receipt more than Estimate | | £. 2,051,495 | | |
| Ireland. | £. | £. | £. | £. |
| Customs | 1,593,175 | 1,635,470 | 42,295 | — |
| Excise and Assessed Taxes | 2,644,522 | 2,176,089 | - - - | 468,433 |
| Stamps | 478,895 | 509,039 | 30,144 | — |
| Post Office | 72,692 | 46,153 | - - - | 26,539 |
| Miscellaneous | 184,614 | 214,226 | 29,612 | — |
| | 4,973,899 | 4,580,977 | £. 102,051 | 494,972 |
| England | 46,931,465 | 48,982,960 | Deduct Increase | 102,051 |
| | £. 51,905,364 | 53,563,937 | | |
| Total Estimate | | 51,905,364 | Permanent Duties less than Estimate | £. 392,921 |
| Total Receipt more than Estimate | | 1,658,573 | | |

## 11.

An Account of the NETT PRODUCE of the PUBLIC REVENUE of Great Britain and Ireland, in the year ended 5th January 1819, as compared with the actual Produce in the year ended 5th January 1818.

| | Actual Produce. | | Permanent Duties. | |
|---|---|---|---|---|
| | 1 Year to 5th January 1818. | 1 Year to 5th January 1819. | Increase. | Decrease. |
| **GREAT BRITAIN.** | £. | £. | £. | £. |
| Customs | 9,761,480 | 9,996,226 | 234,746 | — |
| Excise | 19,726,297 | 22,894,450 | 3,168,153 | — |
| Assessed and Land Taxes | 7,290,849 | 7,427,276 | 136,427 | — |
| Stamps | 6,337,421 | 6,391,270 | 53,849 | — |
| Post Office | 1,338,000 | 1,339,000 | 1,000 | — |
| Miscellaneous | 492,872 | 368,099 | - - - | 124,773 |
| | 44,946,919 | 48,416,321 | 3,594,175 | 124,773 |
| Unappropriated Duties | 2,330,531 | 566,639 | 124,773 Decrease deducted. | |
| | £. 47,277,450 | 48,982,960 | £. 3,469,402... | Increase of Permanent Duties. |
| Produce of 1 Year to 5th January 1818 | | 47,277,450 | | |
| Increase, as compared with preceding year | | £. 1,705,510 | | |
| **IRELAND.** | | | | |
| Customs | 1,483,804 | 1,635,470 | 151,666 | — |
| Excise and Assessed Taxes | 2,130,649 | 2,176,089 | 45,440 | — |
| Stamps | 520,266 | 509,039 | - - - | 11,227 |
| Post Office | 57,231 | 46,153 | - - - | 11,078 |
| Miscellaneous | 196,058 | 214,226 | 18,168 | — |
| | 4,388,008 | 4,580,977 | 215,274 | £. 22,305 |
| England | 47,277,450 | 48,982,960 | 22,305 Decrease deducted. | |
| | £. 51,665,458 | 53,563,937 | £. 192,969... | Increase of Permanent Duties. |
| Produce of 1 Year to 5th January 1818 | | 51,665,458 | | |
| Increase in the year ended 5th of January 1819, as compared with the preceding year | | £. 1,898,479 | | |

The general result of the foregoing Accounts is, that the permanent revenue of Great Britain, in the year ended 5th January 1819, exceeded the Estimate in the Fourth Report of the Committee, by the sum of 1,484,856*l.*, and in addition thereto, the sum of 566,639*l.* was received on account of the arrears of the unappropriated war duties, making together the sum of 2,051,495*l.*; while in Ireland the sum received fell short of the Estimate of the Committee by the sum of 392,921*l.*; and the total amount of the revenue of Great Britain and Ireland, paid into the Exchequer in the year 1818, was 53,563,937*l.* being 1,658,573*l.* more than the Finance Committee (in their Fourth Report) estimated as the probable income of the country; but deducting therefrom the sum of 566,639*l.*, the amount of the unappropriated war duties, the produce of the permanent revenue will have exceeded the Estimate of the Committee by 1,091,934*l.*; and adding to the afore-mentioned sum of 53,563,937*l.*, the sum of 240,000*l.* as the profit of the lottery, and the sum of 250,000*l.* as the produce of old naval stores, which the Committee in their Fourth Report, estimated together at 600,000*l.*; the public Income of the country for 1818, will have amounted to 54,053,937*l.*

It also appears that the total revenue of Great Britain in the year 1818, exceeded the same revenue for the year 1817, by the sum of 1,705,510*l.*, and that the total revenue of Ireland for the year 1818, exceeded that for 1817 by the sum of 192,969*l.*, making a total improvement of the revenue of the United Kingdom, as compared with the year 1817, of 1,898,479*l.*; but this comparison will be rendered still more correct, and the result will be more favourable, if the sum of 2,330,531*l.*, being the amount of unappropriated war duties received in the year 1817, be deducted from the amount of the revenue received in that year, and if the sum of 566,639*l.*, the amount of unappropriated war duties received in the year 1818 be also deducted from the total amount of the revenue received in the year 1818. It will then appear that an improvement to the amount of 3,662,371*l.* has actually taken place in the permanent revenue of the United Kingdom in the year 1818, as compared with the year 1817.

Whatever opinion may be entertained with regard to the adequacy of the revenue of the United Kingdom, even in its present improved state, to meet the various charges upon it, and to provide for the gradual but effectual reduction of the national debt, an object which in a period of peace should never be lost sight of, your Committee cannot but congratulate the House upon the fulfilment of the expectations expressed in the Fourth and Eleventh Reports from the Select Committee on Finance, of the probable augmentation of the revenue. The result has proved, not only that the Committee have been fully justified in their reasonings and deductions from the documents laid before them, but that the improvement which has actually taken place, has exceeded their calculation; and as this improvement has arisen in every branch of the revenue of Great Britain (except the Post-office), and upon almost every component article of that revenue, your Committee feel it the less necessary to call the attention of the House to any particular items, but content themselves with offering some observations upon the great branches of Customs and Excise generally; the productiveness or deficiency of those large sources of the revenue, indicating in a greater degree than any other the advance or decline of our commercial and manufacturing interests, and exhibiting a fairer criterion than any other that can be presented, of the general prosperity of the country.

With regard to the deficiency of the produce of the Post-office, it must be noticed that 90,000*l.* having been advanced for the purchase of houses and land under an act of the 55 Geo. 3, c. 51, for building a new Post-office, that sum being added to the revenue of the Post-office, would leave a deficiency of no more than 56,500*l.*, as compared with the Estimate contained in the Fourth Report. It is further to be stated, for the information of the House, that the total sum hitherto expended for the same purpose, has been 235,000*l.*, and that the debt remaining to be paid for houses and land amounts to 5,000*l.*

The Custom Revenue of Great Britain, which was estimated by the Committee in their Fourth and Eleventh Reports, at 9,340,657*l.*, and which, in the year 1817, produced the sum of 9,761,480*l.*; produced in the year 1818 9,996,226, being an improvement as compared with the Estimate of 655,569*l.*; and as compared with the produce of 1817 of 234,746*l.*; but it was stated by the Committee in their Eleventh Report, that in consequence of the expected rise in the average price of sugar to that point at which it becomes chargeable with the additional duty of 3*s.* per cwt. a great quantity in bond had been taken out for home consumption, immediately before the close of the quarter ended 5th January 1818, by which anticipated payment of the duties, the produce of that quarter was greatly swelled, and a corresponding deficiency occasioned in the produce of the succeeding quarter; this anticipated payment is stated by the Committee (11 Rep.) to amount to 577,832*l.* If, therefore, this sum be deducted from the produce of the Custom Revenue for the year 1817, in which it was included in consequence of the payment by anticipation, and added to the revenue of 1818, it will show an improvement in this branch of the revenue of 1,390,410*l.*

The Excise Revenue of Great Britain, which had not, when the Committee made their Eleventh Report, recovered from the depression which it had experienced upon the termination of the late war, and which therefore did not produce in the year 1817 a revenue equal to the Estimate of the Committee, has now entirely recovered from that state of depression, as will be seen upon reference to the Accounts in the Appendix (C. 2.); those Accounts exhibiting a very material increase of duty upon almost every article subject to the Excise duties, the only exception being upon a few articles of very inconsiderable importance, with reference to the duty to which they are subject; namely, coffee and cocoa, cyder, perry and verjuice. The Committee in the Fourth and Eleventh Reports estimated the produce of those duties at 22,591,364*l.*; they actually produced in 1817 only 19,726,297, but they produced in the year 1818 22,894,450*l.*, which is an improvement as compared with the Estimates in the Fourth and Eleventh Reports of 303,086*l.*, and as compared with the actual produce of the year 1817 of 3,168,153*l.*

The result of these Accounts has also led your Committee to believe, that the measures which have been taken for the prevention of smuggling, have, in a great degree at least, been successful; since the duties upon all those articles most peculiarly exposed to the practices of the fraudulent trader, have been increased, and improved, in common with the duties derived from the other articles of consumption.

With respect to Ireland, the general result has been less favourable than in Great Britain. The Accounts which have been exhibited to your Committee, show that the revenue of that part of the kingdom, is in a progressive state of improvement, although it has not yet reached the sum estimated in the Fourth and Eleventh Reports. It is, however, to be observed, that since that Estimate was framed, Parliament has repealed a portion of the Assessed Taxes payable in that part of the United Kingdom, estimated to produce annually about 235,938*l.*, but in consequence of the repeal of those duties, the sum of 34,766*l.* only was paid into the Exchequer in the year ended 5th January 1819 in respect thereof; consequently in making a comparison between the Estimate of the Committee, and the actual produce of the taxes in Ireland, it will be proper to deduct from the former, or to add to the latter, the difference between the estimated annual produce of those duties, and the amount actually received in respect thereof, and which became due previously to their repeal. The whole of the revenue to arise in Ireland, was estimated by the Committee at 4,973,899*l.*, but its actual produce in the year 1817 was 4,388,008*l.*, and in the year 1818 4,580,977*l.*, showing a deficiency in the last year as compared with the Estimate of the Committee, of 412,922*l.*; but making an allowance for the amount of those repealed taxes (supposing that they could have been maintained), the deficiency is only 211,750*l.*, while the improvement in the revenue of the last year, as compared with the revenue of the preceding year amounts to 192,969*l.*; and adding thereto the sum stated as the supposed amount which would have been received if these taxes had not been reduced, the whole improvement of the actual revenue now existing, may be stated at 394,141*l.*, as compared with the year 1817.

Having thus stated the General Income of the United Kingdom for the year ended 5th January 1819, and compared the same with the Estimate of the Committee in their Fourth Report, and with the income for the year ended the 5th January 1818, it remains for your Committee to offer an Estimate of the probable amount of this income for the years ending 5th January 1820 and 5th January 1821 respectively. In a revenue of the amount of that of the United Kingdom, and chargeable upon so great a variety of articles, fluctuations in some of the duties may certainly take place, from causes which can neither be foreseen nor prevented; but such causes seldom if ever operate, at one and the same time, upon the whole or even upon the major part of the articles from which the revenue is derived, unless they are of a nature and description to affect the tranquillity and prosperity of the state, which circumstances do not in the present case enter into the contemplation of your Committee in forming their Estimate; they therefore feel but little difficulty in submitting to the House their opinion, that the revenue of the last year (1818) which went on gradually improving to the close of that year, may be taken as a fair Estimate of its produce, not only in the present but in the next year; and under such impression they submit that this revenue, together with the sum of 250,000*l.* annually estimated to arise from lotteries, and 250,000*l.* from the sale of old naval stores, may be taken at 54,000,000*l.*

Your Committee having thus presented to the House the result of the documents which have been submitted to them relative to the Public Income of the United Kingdom for the year 1818, proceed to lay before the House, the Accounts relative to the Public Expenditure for the same year, and they propose to show:—

1st. The actual Expenditure of the year ended 5th January 1819, as compared with the Estimate contained in the Eleventh Report of the Committee, p. 120.

2nd. The actual Expenditure of the same year, as compared with the actual Expenditure in the year ended 5th January 1818.

## I.

An Account of the ACTUAL EXPENDITURE of the year ended the 5th of January 1818, as compared with the Estimate of the Finance Committee in their Eleventh Report.

| | Estimate in the Eleventh Report of the Committee. | | | Actual Expenditure in 1818. | | | More than Estimate. | | | Less than Estimate. | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | £. | s. | d. | £. | s. | d. | £. | s. | d. | £. | s. | d. |
| Interest of the Public Funded Debt, unredeemed ... ........ | 29,604,728 | 0 | 0 | 29,348,190 | 8 | 2¾ | - | - | - | 256,537 | 11 | 9¼ |
| Sinking Fund of Funded Debt, and interest of Debt redeemed ...... | 14,832,467 | 0 | 0 | 14,786,039 | 19 | 6 | - | - | - | 46,427 | 0 | 6 |
| £. | 44,437,195 | 0 | 0 | 44,134,230 | 7 | 8¾ | - | - | - | 302,964 | 12 | 3¾ |
| Civil List.................. | 1,235,692 | 0 | 0 | 1,235,692 | 6 | 2 | — | 6 | 2 | — | | |
| Other Charges on the Consolidated Fund ... | 925,276 | 0 | 0 | 1,139,274 | 17 | 11¼ | 213,998 | 17 | 11¾ | — | | |
| Total Consolidated Fund ......... £. | 46,598,163 | 0 | 0 | 46,509,197 | 11 | 10½ | 213,999 | 4 | 1¾ | 302,964 | 12 | 3¼ |
| Interest and Sinking Fund of unfunded Debt ................ | 2,300,000 | 0 | 0 | 2,797,310 | 5 | 2½ | 497,310 | 5 | 2½ | — | | |
| ANNUAL SUPPLIES. | | | | | | | | | | | | |
| Army .................... | 8,967,974 | 0 | 0 | 7,765,281 | 7 | 11 | - | - | - | 1,202,692 | 12 | 1 |
| Navy .................... | 6,456,800 | 0 | 0 | 6,771,714 | 7 | 8¾ | 314,914 | 7 | 8¾ | — | | |
| Ordnance .............. | 1,245,600 | 0 | 0 | 1,247,197 | 4 | 2¼ | 1,597 | 4 | 2¼ | — | | |
| Miscellaneous ............ | 1,783,200 | 0 | 0 | 1,622,301 | 19 | 9½ | - | - | - | 160,898 | 0 | 2½ |
| Do. Extraordinary ...... | 737,744 | 0 | 0 | 994,085 | 11 | 3½ | 256,341 | 11 | 3½ | — | | |
| Total Estimate ...... | 68,089,481 | 0 | 0 | 67,707,088 | 8 | 0 | *1,284,162 | 12 | 6¾ | 1,666,555 | 4 | 6¾ |
| Actual Expenditure... | 67,707,088 | 8 | 0 | * Deduct more than Estimate ...... | | | | | | 1,284,162 | 12 | 6¾ |
| Expenditure less than Estimate ............... | £.382,392 | 12 | 0 | Total less than Estimate ........... | | | | | | £.382,392 | 12 | 0 |

## II.

An Account of the Actual Expenditure of the year ended 5th January 1818, as compared with the Actual Expenditure in the year ended 5th January 1819.

| | Actual Expenditure. | | | | | | More expended in 1818 than in 1817. | | | Less expended in 1818 than in 1817. | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | 1 Year to 5th Jan. 1818. | | | 1 Year to 5th Jan. 1819. | | | | | | | | |
| | £. | s. | d. | £. | s. | d. | £. | s. | d. | £. | s. | d. |
| Interest of the Public Debt, unredeemed ... | 29,450,674 | 4 | 7¾ | 29,348,190 | 8 | 2¾ | - | - | - | 102,483 | 16 | 5 |
| Sinking Fund of Funded Debt, and Interest of Debt redeemed ...... | 14,159,769 | 15 | 9¾ | 14,786,039 | 19 | 6 | 626,276 | 3 | 8¼ | — | | |
| Expenditure for Funded Debt ............... £. | 43,610,438 | 0 | 5½ | 44,134,230 | 7 | 8¾ | 626,276 | 3 | 8¼ | 102,483 | 16 | 5 |
| Civil List.................. | 1,191,168 | 11 | 4 | 1,235,692 | 6 | 2 | 44,523 | 14 | 10 | — | | |
| Other Charges on the Consolidated Fund... | 1,112,493 | 11 | 5½ | 1,139,274 | 17 | 11¾ | 26,781 | 6 | 6¼ | — | | |
| Total Consolidated Fund ......... £. | 45,914,100 | 3 | 3 | 46,509,197 | 11 | 10½ | 697,581 | 5 | 0½ | 102,483 | 16 | 5 |
| Interest and Sinking Fund of unfunded Debt ................ | 2,174,453 | 16 | 2¼ | 2,797,310 | 5 | 2½ | 622,856 | 9 | 0¼ | — | | |
| Annual Supplies. | | | | | | | | | | | | |
| Army ..................... | 9,311,873 | 8 | 2¼ | 7,765,281 | 7 | 11 | - | - | - | 1,546,592 | 0 | 3¼ |
| Navy ........ ............ | 6,873,062 | 13 | 8¼ | 6,771,714 | 7 | 8¾ | - | - | - | 101,348 | 6 | 0 |
| Ordnance.................. | 1,313,686 | 15 | 3 | 1,247,197 | 4 | 2¼ | - | - | - | 66,489 | 11 | 0¾ |
| Miscellaneous ............ | 1,813,220 | 8 | 1½ | 1,622,301 | 19 | 9½ | - | - | - | 190,918 | 8 | 4 |
| Do. Extraordinary ...... | 695,848 | 0 | 10¼ | 994,085 | 11 | 3½ | 298,237 | 10 | 5¼ | — | | |
| Expenditure in 1817 ... | 68,096,245 | 5 | 7 | 67,707,088 | 8 | 0 | *1,618,675 | 4 | 6 | 2,007,832 | 2 | 1 |
| Do. in 1818 ... | 67,707,088 | 8 | 0 | | | | | | | | | |
| | | | | * Deduct more expended in 1818 ... | | | | | | 1,618,675 | 4 | 6 |
| Expenditure less in 1818 than in 1817 ...... £. | 389,156 | 17 | 7 | Total less expended in 1818 ......... | | | | | | £. 389,156 | 17 | 7 |

It will be observed from these statements, that the actual Expenditure of the United Kingdom, for the year ended 5th January 1819, has been 67,707,088*l.*, which is less than was estimated by the Committee in their Eleventh Report, by 382,392*l.*;—and is also less than the actual Expenditure of the preceding year by the sum of 389,156*l.*

In the course of the year 1818, there was applied to the redemption of debt the sum of 15,336,935, which forms a part of the 67,707,088*l.*, stated to have been expended in that year, leaving a real Expenditure of 52,370,152*l.* for the service of the year. The Income of the same year was, as above stated, 53,563,937*l.* to which being added the produce of old naval stores, and the lottery, the total Income was 54,053,937*l.*; and this Income, contrasted with the Expenditure of 52,370,152*l.*, gives a difference in favour of the receipts within the year, of 1,683,785*l.*

This sum in fact constituted the whole balance of revenue above Expenditure, applicable within the last year to the extinction of debt; for the revenue of that year (54,053,937*l.*), being deducted from the Expenditure of 67,707,088*l.*, there will remain a deficiency of 13,653,151*l.*; against which, if the total sum of 15,336,935*l.*, applied to the redemption of debt in the same year be set off, there remains a balance equal to the above sum of 1,683,784*l.*

A comparison of the debt discharged and the debt created within the year, will also afford nearly the same result, the difference being no more than may be accounted for by the balances remaining in the Exchequer, or in the several departments of Expenditure.

| | £. |
|---|---|
| On the 5th January 1818, the total amount of the Unfunded Debt, including the debt upon the Consolidated Fund, was | 66,772,621 |
| On the 5th January 1819, the same Debt amounted to | 53,133,882 |
| Reduction of Unfunded Debt | 13,638,739 |
| There was also applied within the year ended 5th January 1819, to the redemption of the Funded Debt | 15,336,935 |
| Making a Total of | 28,975,674 |

In the same year the sum of 2,999,920*l.* was authorized to be raised by a subscription for converting 3 per cent stock into a stock bearing an interest of 3½ per cent; and 27,262,200*l.* of Exchequer bills were also authorized to be funded, or the like amount to be paid in money, making a total of 30,261,920*l.*; but of this sum 27,188,200*l.* only became due and was paid before the 5th January 1819;—deducting therefore this latter sum as the actual increase of debt within the year, from the sum of 28,975,674*l.*, the amount of unfunded debt reduced, and the sum applied in the reduction of the funded debt, the result will exhibit a decrease of debt to the amount of 1,787,474*l.*

Your Committee have also, with a view of showing the progress which has been made in the redemption of the public debt since the termination of the war called for two accounts; the first, of the nominal capital of the public funded debt unredeemed, as it stood on the 5th January 1816 and the 5th January 1819 respectively; and the second, an account of the total amount of the unfunded debt as it stood at the same periods; by which it appears that the capital of the funded debt has been reduced 23,861,346*l.* during these three years of peace, and that the unfunded debt has been increased 4,018,436*l.* within the same period;—even this reduction of debt, small as it is, when compared to the total amount of the debt remaining unredeemed, has not been effected wholly by the application of the nett surplus of the revenue above the Expenditure properly arising within those three years, to which your Committee desire to call the particular attention of the House; but is chiefly to be attributed to the very large surplus of the grants for the service of the year 1816, which remained unexpended at the termination of that year, and which therefore came in aid of the revenue of the following year.

Your Committee having thus generally stated the result of the Accounts of the actual Income and Expenditure of the United Kingdom for the year ended 5th January 1819, do not deem it necessary to enter into a detailed explanation of the cause of the difference between the estimated and actual amount of Expenditure upon many of the items composing the Account, since such difference will almost necessarily arise; the Estimate being calculated upon the total charge of the year, while the account is composed of the sums actually issued within the year, whether forming part of the grant of that or of any preceding year; and consequently, if precisely the same amount should not remain unissued upon the grants of parliament at the termination of the year as was unissued upon its commencement, there will appear to be a difference between the amount of the Estimate, and of the actual Expenditure. In the present account of money issued within the year, is included a sum of 300,000*l.* granted by parliament in 1815, in pursuance of a convention signed at Vienna in 1815 with the government of Portugal.—There is, however, so material a variation between three of the items composing the Account, that your Committee think it right to point out the same specially; but no considerable alteration is made in the total amount by these variations, because the excess upon two of the items is very nearly balanced by the decrease upon the third.

The first item to which your Committee refer, is the Consolidated Fund, in which the Expenditure is less than the Estimate upon that branch of charge composing the interest and sinking fund of the funded debt, from the circumstance that so great a portion of the charge created in the last year by the loan and funding of Exchequer bills, did not become payable within that year as was contemplated, such payments in the first year of any loan depending entirely upon the period within which the several subscribers complete the amount of their subscriptions. This circumstance will, however, occasion a corresponding increase of charge in the present year;—the parties not being entitled to receive their interest until the whole of their payments are completed, but being then entitled to receive the amount retrospectively from the period when, according to the terms of the agreement, the interest was to commence.

It also appears, that in framing the Estimate for the future miscellaneous charges upon the consolidated fund, in the Eleventh Report, some charges which were uncertain in their amount were omitted, by which the Expenditure of this branch of the consolidated fund has exceeded the Estimate by 213,998*l.*; but the Expenditure agrees very nearly with the Expenditure in the former year (1817), and there is no reason to suppose that it will be considerably less in future years. The several heads of Expenditure which were omitted in calculating the Estimate for the last year, are contained in Appendix (D. 1.) most of which, although the exact amount could not have been anticipated, might certainly have been contemplated, but which appear to have been overlooked, from their not being returned in the annual exchequer account of the consolidated fund.

The second head to which your Committee refer, is the charge of the interest and sinking fund of the unfunded debt, which in the year 1817 amounted to 2,174,473*l.* This charge was estimated for the year 1818 by the Committee in their Eleventh Report at 2,300,000*l.*, but the charge under this head has actually been 2,797,310*l.*, which is an exceeding above the Estimate of nearly 500,000*l.*

In explanation of this circumstance, your Committee called for an account of the total amount of Unfunded debt in exchequer bills and Irish treasury bills authorized by parliament to be issued in the year 1817, or in any preceding years, and which had not been directed to be paid off at the 5th January 1818. This account makes the total amount of unfunded debt, which would be outstanding if all the supplies were paid towards which these exchequer bills and Irish treasury bills were granted, 64,684,615*l.*, one year's interest upon which, at the rate at which this unfunded debt was principally issued, would be 2,278,642*l.*, and if the sum of 550,896*l.*, the amount of the sinking fund actually applied in respect of the unfunded debt in the year 1818, were added to this interest, it would form a total annual charge in respect of unfunded debt of 2,839,538*l.*; but as the exchequer bills granted towards the supplies of the year are issued only as the money is required to satisfy the services for which they are granted, it rarely happens that the charge of the unfunded debt in the first year of its issue, is equal to the whole future annual charge; and as a considerable increase of unfunded debt took place in the year 1817 towards the supplies of that year, which was again reduced in the year 1818 before the whole had been outstanding twelve months, the actual charge for the year 1818 did not equal one year's interest and sinking fund upon this debt, although it exceeded the amount contemplated by the committee. It is farther to be observed, that in consequence of the funding of exchequer bills in the course of the year 1818, to the extent of 27,272,700*l.*, the interest upon that sum became payable at an earlier period than it would have done in the ordinary course. This was a circumstance, the effect of which could not be estimated when the Eleventh Report of the Committee was presented to the House, but which will tend in a proportionate degree to lessen the future expense under the same head.

With respect to the grant for the army, the issue of which from the exchequer did not in the year 1818 amount to the sum estimated, by 1,202,693*l.*, your Committee have ascertained that this circumstance has arisen in consequence of its having been necessary to make considerable advances from the army grants of 1816 and 1817, for discharging that portion of the pay and other expenses of the forces stationed in France, which, according to the usual practice of the service, is always issued in this country, notwithstanding the regiments may be serving abroad. Those advances were, in their nature, strictly regular, as the several services for the army stationed in France were voted by parliament in supply; but as it was understood and stated in parliament that the whole expense of this force would be defrayed out of the money to be received from France, no provision was made in the nature of ways and means to satisfy the supply, and it therefore became necessary to repay to the account of the paymaster-general at the Bank, the amount of these advances, as soon as there arose a surplus of the monies received from France applicable to this service, which did not happen until 1818. The whole of the money due to the paymaster-general on the 5th January 1818, on this account, was 591,984*l.*, which has now been repaid, together with the sum of 200,000*l.* advanced to the king of France upon his return to that country in the year 1814; and these sums, together with the sum of 680,985*l.*, which remained unissued of the army grant on the 5th January 1818, make a total sum of 1,472,969*l.*, applicable at that date to defray the outstanding demands for army services up to the end of the year 1817. On the 5th January 1819, no considerable sum remained due to the account of the paymaster-general in respect of similar advances, but there remained at that date 1,737,394*l.* of the army grants unissued, which was applicable to the outstanding demands for army services to the end of the year 1818. From the nature of these accounts, some difference between the amount remaining unissued at the commencement and termination of the year will almost always exist; but the sums are so near in the present instance, that it is apparent that the actual expenditure has very nearly corresponded with the Estimate of the Committee.

Your Committee now propose to present to the House an Estimate of the probable expenditure of the United Kingdom for the year 1819; and for that purpose they have had before them the Estimates which have been already submitted to the House, and they have called for such farther information as appeared to them to be necessary to enable them to complete their Estimate.—It was observed by the Committee on Finance in their Eleventh Report, that in the event of the return of the troops from France, there would probably be an increase of expense in the army and ordnance, in consequence of the necessary additions to the half-pay, Chelsea pensions, pay of general officers, &c. (after taking into consideration the average yearly saving by casualties) to the extent of 300,000*l.* making the total sum to be granted in the year 1819, for army, navy, and ordnance, 16,972,000*l.*; but your Committee have much satisfaction in observing, from the Estimates which have been laid before them, that there is not only no increase of permanent expense from the contingency contemplated by the Committee, notwithstanding that it has taken place, but that an actual decrease of expense has been effected in the present year; although these are included in the Estimates for the army and ordnance expenses for the reduction to the extent of 213,254*l.*, which may of course be contemplated as not likely to recur in any future year of peace.

This diminution of charge has been attained chiefly by the reductions in the army and in the ordnance; and the following comparison between the total numbers provided for in the Estimates for the years 1818 and 1819, will show the extent to which these reductions have been carried; viz.

| | Total Numbers. | | REDUCTIONS. |
|---|---|---|---|
| | 1818. | 1819. | |
| ARMY. | | | |
| For Great Britain | 30,142 | 29,895 | 247 |
| Stations Abroad | 37,620 | 30,275 | 7,345 |
| Ireland | 22,885 | 20,671 | 2,214 |
| | 90,647 | 80,841 | 9,806 |
| For Army stationed in France | 22,993 | - - - | 22,993 |
| Do. in India | 19,899 | 19,899 | — |
| Total Army | 133,539 | 100,740 | 32,799 |
| ORDNANCE. | | | |
| For Great Britain | 5,404 | 4,159 | 1,245 |
| Stations Abroad | 2,777 | 2,746 | 31 |
| Ireland | 1,461 | 923 | 538 |
| | 9,642 | 7,828 | 1,814 |
| For France | 3,083 | - - - | 3,083 |
| Total Ordnance | 12,725 | 7,828 | 4,897 |
| Total Army and Ordnance | 146,264 | 108,568 | 37,696 |
| Deduct for France { Army ... 22,993<br>Ordnance 3,083 } | | | 26,076 |
| | | | 11,620 |

This reduction, considerable as it is, being upwards of 11,620 men in the army and ordnance, as compared with the numbers of men voted for the year 1818, exclusive of a reduction equal to the whole number of troops stationed in France, does not produce any present saving of expense, in proportion to the amount of the numerical reduction, in consequence of the claims which a very considerable number of individuals who have been reduced have upon the country for some provision, as a reward for their past services. This is however a payment which will give the country a claim to call upon them again for their service, should the exigencies of the state require their assistance, and should their state of health enable them to afford it; but although this reduction of numbers has necessarily added very largely to the half-pay and Chelsea pensions, yet it can by no means be considered as a permanent addition, and therefore some decrease of expense may in future years be contemplated, presuming that a full provision is made in the Estimates for the present year, for all those persons who in consequence of the late reductions, will be entitled to half-pay or pensions; and that the amount of new claims which may arise upon the present diminished establishments, cannot equal the casualties which must occur among the vast numbers of persons now receiving allowances.

The total amount of the Expenditure in the United Kingdom for the year 1819, may, according to the Estimates which have been laid before your Committee, be stated as follows:

| | | | |
|---|---|---|---|
| Interest of Public Funded Debt unredeemed | | | £.29,348,845 |
| Sinking Fund of Funded Debt, and Interest of Debt redeemed | | | 15,591,989 |
| | | | £.44,940,834 |
| Civil List | | | 1,190,692 |
| Other charges on the Consolidated Fund, including 130,000*l.* granted to his Grace the Duke of Wellington, by Act 54 Geo. 3, cap. 161 | | | 1,269,274 |
| Total Consolidated Fund | | | 47,400,800 |
| Interest and Sinking Fund of Unfunded Debt | | | 2,000,000 |
| ANNUAL SUPPLIES: | | | |
| Army | £.8,900,000 | | |
| Navy | 6,436,781 | | |
| Ordnance | 1,191,000 | | |
| | | 16,527,781 | |
| Miscellaneous Services | | 1,851,301 | |
| | | | 18,379,082 |
| Total probable Expenditure for 1819 | | | £.67,779,882 |

Your Committee observe, that the foregoing Estimate of the charge upon the consolidated fund for the year 1819, differs very materially from that submitted to the House by the Select Committee on Finance, in their Eleventh Report, in which it was stated, that this charge might probably be taken at 45,636,675*l.* A great part of this difference arises from its having been assumed in that Report, that stock would be cancelled, to meet the charge of the loan created in the last year; but as that has not yet been done, your Committee have stated the charge as it will actually stand, provided no such measure is carried into effect.—It was also assumed in that Report, that 230,000*l.* per annum, by the expiration of the imperial annuities, would also be available in this year, which will not be the case, as the last dividend will be issued on the 5th July next, and consequently no saving will actually take place until the 5th January 1820. There is also a special charge upon the consolidated fund this year, which was not contemplated by the Committee in the Eleventh Report, namely, of 130,000*l.* in part of 400,000*l.*, granted by the Act 54 Geo. 3, cap. 161, to enable the duke of Wellington to purchase an estate to accompany the title, in consideration of his eminent and signal services; the payment of which sum of 130,000*l.* has been applied for by his Grace, to enable the trustees to complete the purchase of the estate of Strathfieldsay; and a proportionate part of the annuity of

13,000*l.*, settled upon his Grace by the Act of the 54 Geo. 3, cap. 161, will thereby be discontinued as a charge upon the consolidated fund.

The charge upon the consolidated fund in respect of the civil list, will be somewhat reduced in consequence of the death of her late majesty, and of the act lately passed, intituled, "An Act for the farther regulation of his Majesty's Household, and the Care of his Royal Person during the continuance of his indisposition;" which circumstances have been adverted to by your Committee in framing their Estimate; and it appears to them, that, under all these circumstances, the charge upon the consolidated fund must be stated, with reference to the debt as it at present stands, and to the payment to the duke of Wellington, at 47,400,000*l.* Your Committee have also felt it necessary to state the charge of the unfunded debt somewhat higher than it was stated by the Committee in their Eleventh Report.

Having thus stated generally, the cause of the difference between the Estimate of the Committee in the Eleventh Report, with respect to the charge upon the consolidated fund and of the unfunded debt, it remains for them only to advert to a preceding paragraph, in which they have stated, that in consequence of the reduction which has taken place, chiefly in the army and ordnance, the estimates for the current service of the present year will not, even with the temporary expense of reductions, exceed the Estimates of the last year, although the Committee, in their Eleventh Report, contemplated an addition of 300,000*l.* to these Estimates.

It will be observed, that your Committee have not taken into their consideration any increased expense which may arise out of the manner in which provision may be made for meeting the supplies of the present year, or for the expense which may attend any measure which may be taken with a view of reducing any part of the unfunded debt. But no considerable additional expense will be incurred by the latter operation, to whatever extent it may be carried, as the whole expense will be the difference between the interest at present paid on the unfunded debt, and the interest which may be paid in the event of its being converted into a funded debt. It is therefore not necessary to advert more particularly to any measure of this description; but with respect to the difference between the Expenditure and Revenue, your Committee must observe, that if this difference, which cannot be estimated at less than 13,000,000*l.*, is made up either by an increase of the funded or unfunded debt, it will probably occasion an additional annual expense, in the shape of interest, to the extent of from 500,000*l.* to 600,000*l.*, exclusive of any sinking fund which may be assigned for the redemption of this debt; of which interest, there will probably become payable in the course of the year 1819 about 300,000*l.*; and this sum being added to the aforementioned Expenditure of 67,779,882*l.*, will make a total Expenditure of 68,079,882*l.*, in which will, however, be included, for sinking fund towards the redemption of debt, about 16,061,000*l.*, leaving the actual Expenditure, exclusive of sinking fund, at 52,018,800*l.*, which contrasted with a Revenue of 54,000,000*l.*, will give a surplus of Revenue really applicable to the extinction of debt of 1,981,200*l.*

Your Committee do not think it necessary, in submitting to the House an Estimate of the probable Expenditure of the United Kingdom for the year 1820, to do more than to notice generally some heads of charge which occur in the Estimates of the present year, which will probably not recur at all or not to the same extent in the year 1820, and also some other expenses which will probably occur in the next year, to a greater extent than in the present. The heads to which your Committee particularly allude, as not likely to occur in the next year, are the following; viz.—

| | |
|---|---|
| The payments to be made, in the present year, to complete the charge of the last year, in respect of the debt then created | £.115,452 |
| The charge of the Funded Debt, by the expiration of the Imperial Annuities, the last dividend on which will be paid on the 5th July 1819 | 230,000 |
| The sum to be issued to his Grace the Duke of Wellington, in the present year, under the Act 54 Geo. 3, cap. 161 | 130,000 |
| In the Army—Expense of Reduction | 203,000 |
| In the Ordnance—Do | 10,000 |
| In the Navy—a probable saving under the heads of Army Provisions and Transports, as a great part of the garrisons abroad will be relieved in the present year, in consequence of the reduction of the Army | 100,000 |

Probable decrease in the Half-pay, Pensions, &c. in the course of the year 1820, the total amount of allowances of this description being now 4,324,956*l.* ........................ ........................................ 80,000

Total probable Saving of Expenditure ..................£.868,452

And the Items which will occur to a larger extent in the next than in the present year, are as follows:—

By the difference between the total amount of the interest upon any debt which may be created in the present year, and the sum which will be actually paid in this year....................................................................£.300,000

By an addition to the Army Estimates, two of the regiments returning from India being provided for in the Estimates for 1819, from the 25th August only, the difference between that sum and the total Expense for one year, must therefore be provided .......................................... 30,000

Total probable Addition to the Expenditure............£.330,000

Which being deducted from the probable Saving would leave a balance of about 538,452*l.*, and would make the total Expenditure for 1820 about 67,541,430*l.*

Your Committee have not, in the Estimate for this latter year, made any allusion to the additional expense which would be incurred, if the difference between the Income and the Expenditure were provided by any addition to the funded or unfunded debt; nor have they adverted to the increase which will naturally take place in the same time to the income of the present sinking fund, if it accumulates without the interest of any new loans being charged thereon: these circumstances will occasion no great variation in the result of the general Account, which in either event will exhibit a balance of Income above the Expenditure of about 2,519,652*l.*, (exclusive, however, of the Expenditure of the sinking fund itself;) neither have your Committee noticed any charge which may arise in respect of the exchequer bills to the amount of 1,100,000*l.*, appropriated or intended to be appropriated to the building of churches, because no charge has yet been incurred on account of this grant, and it is at present uncertain when and to what amount any disbursement upon this account may occur.

Your Committee think it their duty to call the attention of the House to the important fact, that a very considerable part of the present Revenue, namely, Excise Duties, to the amount of about 3,500,000*l.* per annum, have been granted by parliament only to the 5th July 1821. This revenue is charged upon those articles of consumption most subject to illicit trade, and it must depend upon the continued success of the measures which have been taken to repress this traffic, whether this revenue can be supported beyond that time, either with justice to the fair trader or advantage to the revenue; but your Committee have already observed, in a former part of this Report, that the revenue upon the articles subject to these duties has increased and improved in common with the revenue charged upon other articles charged with excise duties, and therefore, at present at least, there does not appear to be any reason for repealing them, or suffering them to expire, upon the ground, that the duties upon these articles cannot be maintained at their present rate; while it must be recollected that should they either be repealed or suffered to expire, that deficiency of revenue must be supplied by some other means.

5 *April* 1819.

THE

# FINANCE ACCOUNTS

OF

## THE UNITED KINGDOM

OF

## *GREAT BRITAIN AND IRELAND,*

FOR THE YEAR ENDED FIFTH JANUARY

1819.

*Class*
- I. PUBLIC INCOME.
- II. CONSOLIDATED FUND.
- III. ARREARS AND BALANCES.
- IV. TRADE AND NAVIGATION.

*Class*
- V. PUBLIC EXPENDITURE.
- VI. PUBLIC FUNDED DEBT.
- VII. UNFUNDED DEBT.
- VIII. DISPOSITION OF GRANTS.

# I. PUBLIC INCOME OF THE UNITED KINGDOM,
## FOR THE YEAR ENDED FIFTH JANUARY, 1819.

An Account of the ORDINARY REVENUES and EXTRAORDINARY RESOURCES, constituting the PUBLIC INCOME of the United Kingdom of GREAT BRITAIN and IRELAND.

| HEADS OF REVENUE. | GROSS RECEIPT; Total Sum to be accounted for. | | | Drawbacks, Discounts, Charges of Management, &c. paid out of the Gross Revenue. | | | Payments out of the NETT PRODUCE. | | |
|---|---|---|---|---|---|---|---|---|---|
| **Ordinary Revenues.** | £. | s. | d. | £. | s. | d. | £. | s. | d. |
| CUSTOMS | 16,781,503 | 5 | 5 | 3,983,693 | 0 | 2¾ | 12,797,810 | 5 | 2¼ |
| EXCISE | 28,848,714 | 2 | 6¼ | 3,258,040 | 5 | 2¼ | 25,580,673 | 17 | 4 |
| STAMPS | 7,569,864 | 6 | 0 | 427,772 | 19 | 0¾ | 7,142,091 | 6 | 11¼ |
| LAND AND ASSESSED TAXES | 8,688,918 | 14 | 5¾ | 375,092 | 4 | 3¾ | 8,313,826 | 10 | 2 |
| POST OFFICE | 2,373,265 | 11 | 6½ | 705,922 | 6 | 7¼ | 1,667,343 | 4 | 11¼ |
| PENSIONS AND SALARIES 1*s.* in the £. | 23,815 | 17 | 8 | 429 | 5 | 9 | 23,386 | 11 | 11 |
| PENSIONS AND SALARIES 6*d.* in the £. | 11,213 | 1 | 9 | 587 | 11 | 11 | 10,625 | 9 | 10 |
| HACKNEY COACHES | 26,679 | 5 | 9 | 3,779 | 5 | 0 | 22,900 | 0 | 9 |
| HAWKERS AND PEDLARS | 27,788 | 18 | 4¾ | 4,160 | 7 | 7 | 23,628 | 10 | 9¾ |
| POUNDAGE FEES (Ireland) | 4,100 | 4 | 10¾ | - | - | - | 4,100 | 4 | 10¾ |
| PELLS FEES ......... Do. | 820 | 1 | 0¼ | - | - | - | 820 | 1 | 0¼ |
| CASUALTIES ......... Do. | 3,657 | 8 | 8¼ | - | - | - | 3,657 | 8 | 8¼ |
| TREASURY FEES, and Hospital Fee (Do.) | 1,283 | 4 | 8¾ | - | - | - | 1,283 | 4 | 8¾ |
| SMALL BRANCHES OF THE KING'S HEREDITARY REVENUE | 144,579 | 0 | 6 | 5,627 | 4 | 8¼ | 138,951 | 15 | 9¾ |
| TOTAL of Ordinary Revenues | 64,506,203 | 3 | 4¼ | 8,765,104 | 10 | 4 | 55,741,098 | 13 | 0¼ |
| **Extraordinary Resources.** | | | | | | | | | |
| PROPERTY TAX AND INCOME DUTY. (Arrears) | 658,337 | 14 | 0 | 20,758 | 8 | 4½ | 637,579 | 5 | 7½ |
| Lottery, Nett Profit | 211,225 | 0 | 0 | 15,248 | 3 | 4 | 195,976 | 16 | 8 |
| Unclaimed Dividends, &c. per Act 56 Geo. 3, c. 97 | 332,948 | 6 | 7 | - | - | - | 332,948 | 6 | 7 |
| Surplus Fees of Regulated Public Offices | 38,713 | 17 | 2½ | - | - | - | 38,713 | 17 | 2½ |
| Voluntary Contributions | 20,000 | 0 | 0 | - | - | - | 20,000 | 0 | 0 |
| On Account of the Commissioners for issuing Exchequer Bills for Grenada, per Act 35 Geo. 3, c. 127 | 8,771 | 3 | 8 | - | - | - | 8,771 | 3 | 8 |
| From several County Treasurers in Ireland, on account of Advances made by the Treasury for improving Post Roads, for building Gaols, and under the Police Act of 54 Geo. 3, (Ireland) | 85,459 | 15 | 8½ | - | - | - | 85,459 | 15 | 8½ |
| Imprest Monies Repaid by Sundry Public Accountants, and other Monies paid to the Public | 384,020 | 12 | 1½ | - | - | - | 384,020 | 12 | 1½ |
| Loans, &c. paid into the Exchequer; viz. Contributions to Annuities, per Act 58 Geo. 3, c. 23 | 2,725,000 | 0 | 0 | - | - | - | 2,725,000 | 0 | 0 |
| Loans, &c. paid into the Exchequer; viz. Contributions to Annuities towards discharging Exchequer Bills, per Act 58 Geo. 3, c. 23 | 8,125,000 | 0 | 0 | - | - | - | 8,125,000 | 0 | 0 |
| TOTAL Public Income of the United Kingdom | 77,095,679 | 12 | 7¾ | 8,801,111 | 2 | 0½ | 68,294,568 | 10 | 7¼ |
| Add, Appropriated Duties for Local Objects in Ireland | 57,573 | 13 | 8¼ | 3,427 | 5 | 1½ | 54,146 | 8 | 6¾ |
| GRAND TOTAL | 77,153,253 | 6 | 4 | 8,804,538 | 7 | 2 | 68,348,714 | 19 | 2 |

# II.—CONSOLIDATED FUND AND PERMANENT TAXES.—INCOME AND CHARGE, 1819.

| INCOME. | £. | s. | d. | £. | s. | d. |
|---|---|---|---|---|---|---|
| CUSTOMS: Consolidated, after reserving the sum of £.105,000 per annum, to be carried to Duties pro Anno 1809. per Act 49 Geo. 3 ...... | £.3,944,775 | 0 | 6¾ | | | |
| Isle of Man .. .................. | 9,656 | 5 | 9 | | | |
| Quarantine Duty................ | 29,723 | 17 | 7 | | | |
| Canal and Dock Duty......... | 41,283 | 3 | 1 | | | |
| Temporary or War Duty 1809, made permanent Anno 1816 | 2,614,750 | 11 | 1¼ | | | |
| Do. in 1810 and 1811 ...... | 146,273 | 18 | 8¾ | | | |
| | | | | 6,786,462 | 16 | 9¾ |

| CHARGE. | Actual Payment out of the Consolidated Fund in the Year ended 5th January, 1818. £. | s. | d. | Future Annual Charge upon the Consolidated Fund as it stood on 5th January, 1818. £. | s. | d. |
|---|---|---|---|---|---|---|
| Total Charge for Debt created prior to 1809 ... | 23,721,135 | 12 | 0¼ | 23,249,353 | 13 | 11¼ |
| CIVIL LIST: | | | | | | |
| For the Support of his Majesty's Household, per Act 17 Geo. 3 ........................ | 898,000 | 0 | 0 | 898,000 | 0 | 0 |
| Ditto.. ............ 44 ditto ........................ | 60,000 | 0 | 0 | 60,000 | 0 | 0 |
| Ditto.............. 52 ditto........................ | 70,000 | 0 | 0 | 70,000 | 0 | 0 |
| COURTS OF JUSTICE, &c.: | | | | | | |
| Judges of England and Wales, in Augmentation of their Salaries ........................ | 13,050 | 0 | 0 | 13 050 | 0 | 0 |
| Deficiencies of Judges Salaries in England........... | 13,402 | 0 | 10 | Uncertain. | | |
| Additional Salaries to Welsh Judges ................. | 3,200 | 0 | 0 | 3,200 | 0 | 0 |
| John Baldwin, Esq. Receiver of the Seven Police Offices ........................ | 23,269 | 3 | 11½ | Uncertain. | | |
| Patrick Colquhoun, Esq. Ditto Thames Ditto ...... | 6,961 | 5 | 3 | Ditto. | | |
| Clerk of the Hanaper ........................ | 2,000 | 0 | 0 | — | | |
| H. J. Hinchliffe, Esq. Vice Admiralty Judge at Jamaica ........................ | 2,085 | 2 | 1½ | — | | |
| Sheriffs of England and Wales ........................ | 4,000 | 0 | 0 | 4,000 | 0 | 0 |
| MINT: | | | | | | |
| Master of the Mint in England ........................ | 13,800 | 0 | 0 | 13,800 | 0 | 0 |
| Ditto.........Do...... Scotland ........................ | 1,200 | 0 | 0 | 1,200 | 0 | 0 |
| SALARIES AND ALLOWANCES: | | | | | | |
| Speaker of the House of Commons, to complete his Salary of £.6,000 per annum........................ | 1,052 | 14 | 0 | Uncertain. | | |
| Edward Roberts, Esq. an annual Sum formerly paid to the Auditor ........................ | 650 | 0 | 0 | 650 | 0 | 0 |
| George Pepler, Esq. Inspector of Tontine Certificates ........................ | 700 | 0 | 0 | Uncertain. | | |
| For the Encouragement of the Growth of Hemp and Flax in Scotland ........................ | 2,956 | 13 | 8 | 2,956 | 13 | 8 |
| Chief Cashier of the Bank, for Fees........................ | 1,167 | 10 | 0 | Uncertain. | | |

| | | | | | | |
|---|---|---|---|---|---|---|
| EXCISE: Consolidated, after reserving the several sums carried per Acts 52 and 55 Geo. 3, to the Duties pro Annis 1812 and 1815 | £.15,248,732 | 0 | 0 | | | |
| British Spirits, Anno 1806, Schedule A. | 550,170 | 0 | 0 | 15,798,992 | 0 | 0 |
| STAMPS: Consolidated, after reserving as directed per Acts 50 and 55 Geo. 3 | £.4,140,050 | 11 | 4 | | | |
| Licences for selling Lottery Tickets | 4,248 | 0 | 0 | 4,144,299 | 2 | 0 |
| INCIDENTS | | | | 7,136,593 | 18 | 11 |
| Surplus Duty on Sugar, Malt, and Tobacco, annually granted | | | | 1,340,473 | 0 | 10½ |
| Annual Malt, &c. Anno 1816 and 1817 | | | | 536,451 | 0 | 0 |
| Pensions, Offices, and Personal Estates, 1814, 1815, 1816, and 1817 | | | | 35,899 | 12 | 9 |

[This Account continued over leaf.]

| | | | | |
|---|---|---|---|---|
| **COMMISSIONERS OF PUBLIC ACCOUNTS:** | | | | |
| W. M. Praed, Esq. | 1,500 | 0 | 0 | 1,500 0 0 |
| Sir C. W. R. Boughton, Bart | 1,200 | 0 | 0 | 1,200 0 0 |
| F. P. Eliot, Esq. | 751 | 10 | 11 | Dead. |
| R. Dawkins, Esq. | 1,200 | 0 | 0 | 1,200 0 0 |
| John Wishaw, Esq. | 1,200 | 0 | 0 | 1,200 0 0 |
| John Sargent, Esq. | 1,200 | 0 | 0 | 1,200 0 0 |
| John Anstey, Esq | 1,200 | 0 | 0 | 1,200 0 0 |
| Salaries, &c. in the Office of the said Commissioners | 35,117 | 11 | 7 | Uncertain. |
| **COMMISSIONERS OF WEST INDIA ACCOUNTS:** | | | | |
| John Halket, Esq. | 1,500 | 0 | 0 | 1,500 0 0 |
| James Chapman, Esq. | 1,000 | 0 | 0 | 1,000 0 0 |
| John Wilson, Esq. | 1,000 | 0 | 0 | 1,000 0 0 |
| Salaries, &c. in the Office of the said Commissioners | 6,762 | 4 | 0 | Uncertain. |
| **MISCELLANEOUS:** | | | | |
| Interest, &c. on a moiety of 50 Millions of Florins, raised by the House of Hope and Co. for the Service of Russia, per 55 Geo. 3, c. 115 | 133,417 | 6 | 3 | Ditto. |
| Deficiency of Profits to the South Sea Company, per 55 Geo. 3, c. 57. | 1,717 | 9 | 2 | Ditto. |
| Sundry Bounties on Seizures | 25,675 | 16 | 8 | Ditto. |
| Contingencies in the Office of Commissioners for enquiring into Charitable Institutions for the Education of the Poor | 4,000 | 0 | 0 | Ditto. |
| **PENSIONS:** | | | | |
| Earl of Chatham | 4,000 | 0 | 0 | 4,000 0 0 |
| Lord Rodney | 2,000 | 0 | 0 | 2,000 0 0 |
| Lady Dorchester | 1,000 | 0 | 0 | 1,000 0 0 |
| John Penn, Esq | 1,000 | 0 | 0 | 1,000 0 0 |
| Richard Penn, Esq | 3,000 | 0 | 0 | 3,000 0 0 |
| Duke of Clarence | 12,000 | 0 | 0 | 12,000 0 0 |
| - - York | 14,000 | 0 | 0 | 14,000 0 0 |
| Duchess of York | 4,000 | 0 | 0 | 4,000 0 0 |
| Prince of Wales | 65,000 | 0 | 0 | 65,000 0 0 |
| Earl St. Vincent | 2,000 | 0 | 0 | 2,000 0 0 |
| Viscount Duncan | 2,000 | 0 | 0 | 2,000 0 0 |
| Duke of Kent | 12,000 | 0 | 0 | 12,000 0 0 |

[This Account continued over leaf.

| | £. | s. | d. | | £. | s. | d. | £. | s. | d. |
|---|---|---|---|---|---|---|---|---|---|---|
| Land Taxes, Anno 1803 to 1818 | 1,173,786 | 5 | 11 | Duke of Cumberland | 12,000 | 0 | 0 | 12,000 | 0 | 0 |
| | | | | - - Richmond | 6,333 | 6 | 8 | 6,333 | 6 | 8 |
| | | | | Lord Erskine | 4,000 | 0 | 0 | 4,000 | 0 | 0 |
| | | | | Sir Arch. Macdonald | 2,500 | 0 | 0 | 2,500 | 0 | 0 |
| | | | | Sir Vicary Gibbs | 452 | 11 | 8½ | 2,500 | 0 | 0 |
| Income Duty, Anno 1801 | 30 | 0 | 0 | Sir James Mansfield | 2,500 | 0 | 0 | 2,500 | 0 | 0 |
| | | | | Sir Wm. Grant | 2,535 | 18 | 4½ | 2,500 | 0 | 0 |
| | | | | Sir Alan Chambré | 2,000 | 0 | 0 | 2,000 | 0 | 0 |
| | | | | Sir Sidney Smith | 1,000 | 0 | 0 | 1,000 | 0 | 0 |
| | | | | Baroness Abercrombie | 2,000 | 0 | 0 | 2,000 | 0 | 0 |
| | | | | J. W. Compton, Esq | 1,000 | 0 | 0 | 1,000 | 0 | 0 |
| Unappropriated War Duties | 6,629 | 16 | 0½ | Alex. Croke, Esq. | 1,000 | 0 | 0 | 1,000 | 0 | 0 |
| | | | | John Hinchliffe, Esq. | 706 | 0 | 10½ | 1,000 | 0 | 0 |
| | | | | Duke of Sussex | 12,000 | 0 | 0 | 12,000 | 0 | 0 |
| | | | | - - Cambridge | 12,000 | 0 | 0 | 12,000 | 0 | 0 |
| | | | | Lord Hutchinson | 2,000 | 0 | 0 | 2,000 | 0 | 0 |
| | | | | Sir James Saumarez | 1,200 | 0 | 0 | 1,200 | 0 | 0 |
| | | | | Lord Boringdon et al. for Lord Amherst | 3,000 | 0 | 0 | 3,000 | 0 | 0 |
| Money reserved on account of Nominees appointed by the Lords of the Treasury, in Tontine, Anno 1789 | 23,456 | 3 | 7¼ | Duke of Athol | 3,870 | 19 | 3¾ | Uncertain. | | |
| | | | | H. Moreton Dyer | 1,000 | 0 | 0 | 1,000 | 0 | 0 |
| | | | | John Sewell | 1,000 | 0 | 0 | 1,000 | 0 | 0 |
| | | | | Wm. Territ | 1,000 | 0 | 0 | 1,000 | 0 | 0 |
| | | | | Lady Nelson | 2,000 | 0 | 0 | 2,000 | 0 | 0 |
| | | | | Sir Richard Strachan | 1,000 | 0 | 0 | 1,000 | 0 | 0 |
| | | | | Lady Collingwood | 1,000 | 0 | 0 | 1,000 | 0 | 0 |
| Arrears of Duty on Property, after satisfying £. 250,000, pro Anno 1818 | 78,472 | 8 | 6¾ | Hon. Sarah - Ditto | 500 | 0 | 0 | 500 | 0 | 0 |
| | | | | Hon. Mary Patience - Ditto | 500 | 0 | 0 | 500 | 0 | 0 |
| | | | | Duke of Clarence | 6,000 | 0 | 0 | 6,000 | 0 | 0 |
| | | | | - - Kent | 6,000 | 0 | 0 | 6,000 | 0 | 0 |
| | | | | - - Cumberland | 6,000 | 0 | 0 | 6,000 | 0 | 0 |
| | | | | - - Sussex | 6,000 | 0 | 0 | 6,000 | 0 | 0 |
| Monies paid by divers Persons | 222,264 | 18 | 5 | - - Cambridge | 6,000 | 0 | 0 | 6,000 | 0 | 0 |
| | | | | - - Gloucester | 14,000 | 0 | 0 | 14,000 | 0 | 0 |
| | | | | Princess Sophia of Gloucester | 7,000 | 0 | 0 | 7,000 | 0 | 0 |
| | | | | Earl Nelson | 5,000 | 0 | 0 | 5,000 | 0 | 0 |
| | | | | Lord Rodney | 923 | 1 | 6 | 923 | 1 | 6 |
| | | | | Viscount Lake | 2,000 | 0 | 0 | 2,000 | 0 | 0 |
| | | | | Viscount Wellington | 2,000 | 0 | 0 | 2,000 | 0 | 0 |
| | | | | Earl of Do. | 2,000 | 0 | 0 | 2,000 | 0 | 0 |
| | | | | Hon. Jane Perceval | 2,000 | 0 | 0 | 2,000 | 0 | 0 |
| TOTAL Income of Duties, &c. applicable to paying the Charges prior to the Year 1809, and the Incidental Charges as they stood on the 5th January 1819 | 37,283,721 | 3 | 10¾ | Princesses Augusta Sophia, Elizabeth, Mary, and Sophia, on £. 9,000 per annum, each | 36,000 | 0 | 0 | 36,000 | 0 | 0 |

| | £. | s. | d. |
|---|---|---|---|
| TOTAL Income of Duties for the Year 1809...... | 105,000 | 0 | 0 |
| Do. ........................................ 1810.... . | 1,465,396 | 11 | 0 |
| Do. ........................................ 1811.. ... | 632,828 | 0 | 0 |
| Do. ...................... ...... .......... 1812...... | 1,200,342 | 13 | 7 |
| Do. ........................................ 1813...... | 698,733 | 11 | 7¾ |
| Do. ........................................ 1814...... | 22,000 | 0 | 0 |
| Do. ........................................ 1815...... | 1,037,608 | 6 | 3 |
| | 42,445,630 | 6 | 4½ |

| | £. | s. | d. | £. | s. | d. |
|---|---|---|---|---|---|---|
| Sir Arch. Macdonald........................................ | 800 | 0 | 0 | 800 | 0 | 0 |
| Sir Vicary Gibbs ........................................ | 144 | 16 | 6½ | 800 | 0 | 0 |
| Sir James Mansfield ........................................ | 800 | 0 | 0 | 800 | 0 | 0 |
| Sir William Grant........................................ | 811 | 9 | 10½ | 800 | 0 | 0 |
| Sir Alan Chambré ........................................ | 600 | 0 | 0 | 600 | 0 | 0 |
| Princess of Wales ........................................ | 35,000 | 0 | 0 | 35,000 | 0 | 0 |
| Duke of Wellington ........................................ | 13,000 | 0 | 0 | 13,000 | 0 | 0 |
| Lord Beresford ........................................ | 2,000 | 0 | 0 | 2,000 | 0 | 0 |
| - - Combermere........................................ | 2,000 | 0 | 0 | 2,000 | 0 | 0 |
| - - Exmouth ........................................ | 2,000 | 0 | 0 | 2,000 | 0 | 0 |
| - - Hill ........................................ | 2,000 | 0 | 0 | 2,000 | 0 | 0 |
| - - Lynedoch ........................................ | 2,000 | 0 | 0 | 2,000 | 0 | 0 |
| Duke of York et al. in trust for the Prince of Saxe Cobourg........................................ | 50,000 | 0 | 0 | 50,000 | 0 | 0 |
| Duke of York ........................................ | 12,000 | 0 | 0 | 12,000 | 0 | 0 |
| - - Clarence .... .......... ........................ | 2,500 | 0 | 0 | 2,500 | 0 | 0 |
| Princesses Augusta Sophia, Elizabeth, Mary, and Sophia, £.4,000 each ................................ | 16,000 | 0 | 0 | 16,000 | 0 | 0 |
| Lord Colchester............. ...................... ...... | 4,000 | 0 | 0 | 4,000 | 0 | 0 |
| Duke of Cambridge ........................................ | 4,500 | 0 | 0 | 6,000 | 0 | 0 |
| - - Kent .................... ........................ | 4,500 | 0 | 0 | 6,000 | 0 | 0 |
| TOTAL of Incidental Charges, &c. upon the Consolidated Fund, as they stood on the 5th January 1819 ........................................ | 1,793,614 | 13 | 2¾ | 1,537,613 | 1 | 10 |
| Total Charge for Debt incurred prior to the Year 1809 ........................................ | 23,721,135 | 12 | 0¼ | 23,249,353 | 13 | 11¼ |
| Total of Incidental Charges, &c.... ...................... | 1,793,614 | 13 | 2¾ | 1,537,613 | 1 | 10 |
| Total Charge for Debt incurred in the Year...1809... | 1,302,863 | 3 | 9 | 1,161,285 | 15 | 1¼ |
| Do. ........................................1810... | 1,276,589 | 0 | 2½ | 1,276,589 | 0 | 2½ |
| Do. ........................................1811... | 1,495,929 | 14 | 9 | 1,495,929 | 14 | 9 |
| Do. ........................................1812... | 2,216,397 | 10 | 6¾ | 2,216,397 | 10 | 6¾ |
| Do. ........................................1813... | 4,152,671 | 15 | 5 | 4,152,867 | 6 | 9¾ |
| Do. ........................................1814... | 3,268,802 | 16 | 0½ | 3,268,802 | 16 | 0½ |
| Do. ........................................1815... | 4,365,619 | 10 | 2 | 4,365,619 | 10 | 2 |
| Do. ........................................1816... | 82,613 | 11 | 8½ | 78,699 | 10 | 1¾ |
| Do. ........................................1818... | 713,400 | 7 | 9¼ | 1,759,524 | 13 | 4¾ |
| Interest upon Exchequer Bills issued to make good the Deficiency of this Fund, per Act 57 Geo. 3... | 8,246 | 16 | 8 | Uncertain. | | |
| | 44,397,884 | 12 | 3½ | 44,562,682 | 12 | 11½ |

## III.

# ARREARS AND BALANCES OF PUBLIC ACCOUNTANTS.

### HEADS OF THESE ACCOUNTS.

Customs in England; Balances and Arrears, the 5th of January, 1819.
Ditto in Scotland; Current Balances, on the 5th January, 1819.
Ditto in Ireland; Balances, 5th January, 1819.

Excise in England;—Arrears and Current Balances, due on the 5th January, 1819.
Ditto in Scotland; Ditto Ditto Ditto.
Ditto in Ireland;—Balances of deceased and dismissed Collectors, 5th January, 1819.
Stamps in Great Britain;—Arrears due on 5th January, 1819, from Distributors.
Ditto Ditto —Nett Balances in the hands of Distributors.
Ditto in Ireland; —Balances and Arrears on 5th January, 1819.
Land and Assessed Taxes in Great Britain;—Arrears and Current Balances, 5th January, 1819.
Ditto in Ireland;—Balances of deceased and dismissed Collectors.
Ditto Ditto —Balance due by a dismissed Revenue Collector, 5th January, 1819.

Post Office in Great Britain;—Arrears due on 5th January, 1819.
Ditto Ditto —Balances of Deputy Postmasters.
Ditto in Ireland;—Arrears due on 5th January, 1819.
Ditto Ditto —Balances of Deputy Postmasters.
Ditto Ditto —Arrears of Letter Carriers, on 5th January, 1819.
Ditto Ditto —Insolvent Arrears.
Ditto Ditto —Balances of Deputy Postmaster, &c.

Land Revenues of the Crown in England and Wales;—Arrears and Current Balances, 5th Jan., 1819.

Public Accountants;—List of, in respect of whom the Execution of any Process or Proceeding hath been controlled, suspended, or procured, between 5th January, 1818, and 5th January, 1819.

Army Accounts;—Balances of Accountants, on 5th January, 1819.

Commissioners for auditing Public Accounts;—List of Officers and Departments, whose Accounts have been usually audited by them.

Ditto List of Accounts delivered over to them, which have *not* been audited, stated, or declared; completed to 5th January, 1819.

Ditto List of Accounts delivered over to them, which *have* been either stated or declared, so far as any Balances appear to be now owing to or from the Public; completed to 5th January, 1819.

## IV.

# TRADE AND NAVIGATION OF THE UNITED KINGDOM.

## I.—TRADE OF GREAT BRITAIN.

An Account of the Value of all Imports into, and of all Exports from, Great Britain, during each of the Three Years ending the 5th of January, 1819 (calculated at the Official Rates of Valuation, and stated inclusive and exclusive of the Trade with Ireland); distinguishing the Amount of the Produce and Manufactures of the United Kingdom Exported, from the Value of Foreign and Colonial Merchandize Exported:—also, stating the Amount of the Produce and Manufactures of the United Kingdom Exported from Great Britain, according to the Real and Declared Value thereof.

| YEARS. | OFFICIAL VALUE OF IMPORTS into Great Britain. | | | OFFICIAL VALUE OF EXPORTS. | | | | | | | | | Declared Value of the Produce and Manufactures of the United Kingdom Exported. | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | | | Produce and Manufactures of the United Kingdom. | | | Foreign and Colonial Merchandize. | | | Total Exports. | | | | | |
| | £. | s. | d. | £. | s. | d. | £. | s. | d. | £. | s. | d. | £. | s. | d. |
| 1817 | 30,105,566 | 1 | 9 | 36,697,610 | 5 | 8 | 14,545,964 | 2 | 3 | 51,243,574 | 7 | 11 | 42,955,256 | 3 | 8 |
| 1818 | 33,965,232 | 6 | 0 | 41,588,585 | 11 | 11 | 11,534,616 | 12 | 11 | 53,123,202 | 4 | 10 | 43,626,253 | 14 | 2 |
| 1819 | 40,157,634 | 9 | 6 | 44,564,044 | 14 | 10 | 12,287,274 | 15 | 0 | 56,851,319 | 9 | 10 | 48,903,760 | 16 | 1 |
| 1817 | 26,374,921 | 5 | 8 | 34,774,520 | 11 | 2 | 13,441,664 | 11 | 9 | 48,216,185 | 2 | 11 | 40,328,939 | 13 | 10 |
| 1818 | 29,910,502 | 9 | 8 | 39,233,466 | 19 | 10 | 10,269,271 | 8 | 9 | 49,502,738 | 8 | 7 | 40,349,235 | 6 | 11 |
| 1819 | 35,867,021 | 9 | 5 | 41,963,527 | 0 | 9 | 10,835,800 | 6 | 4 | 52,799,327 | 7 | 1 | 45,188,249 | 9 | 0 |

## 2.—TRADE OF IRELAND.

An Account of the Value of all Imports into, and all Exports from, Ireland, during each of the Three Years ending the 5th of January, 1819 (calculated at the Official Rates of Valuation, and stated inclusive and exclusive of the Trade with Great Britain); distinguishing the Amount of the Produce and Manufactures of the United Kingdom Exported, from the Value of Foreign and Colonial Merchandize Exported;—also, stating the Amount of the Produce and Manufactures of the United Kingdom Exported from Ireland, according to the Value thereof, as computed at the Average Prices Current.

| YEARS. | OFFICIAL VALUE OF IMPORTS. | | | OFFICIAL VALUE OF EXPORTS. | | | | | | | | | Declared Value of Produce and Manufactures of the United Kingdom Exported. | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | | | Produce and Manufactures of the United Kingdom. | | | Foreign and Colonial Merchandize. | | | Total Exports. | | | | | |
| | £. | s. | d. | £. | s. | d. | £. | s. | d. | £. | s. | d. | £. | s. | d. |
| 1817... | 4,693,745 | 4 | 6 | 6,042,253 | 15 | 9¾ | 165,869 | 4 | 8 | 6,208,123 | 0 | 5¾ | 8,510,977 | 1 | 5 |
| 1818... | 5,644,175 | 16 | 5½ | 6,412,892 | 10 | 2 | 150,562 | 7 | 10½ | 6,563,454 | 18 | 0½ | 10,526,325 | 8 | 0¼ |
| 1819... | 6,098,720 | 2 | 7½ | 6,436,950 | 14 | 11¾ | 84,078 | 9 | 8¾ | 6,521,029 | 4 | 8½ | 11,776,860 | 14 | 9¼ |
| 1817... | 1,050,618 | 19 | 5 | 932,488 | 0 | 10¾ | 42,374 | 6 | 4 | 974,862 | 7 | 2¾ | 1,328,933 | 6 | 4 |
| 1818... | 889,335 | 14 | 2½ | 851,548 | 5 | 9 | 23,413 | 4 | 10½ | 874,961 | 10 | 7½ | 1,411,897 | 9 | 11 |
| 1819... | 1,033,660 | 7 | 2½ | 736,325 | 17 | 11¾ | 24,057 | 17 | 2 | 760,383 | 15 | 1¾ | 1,423,099 | 0 | 6½ |

## NAVIGATION OF THE UNITED KINGDOM.

An Account of the Number of Vessels, with the Amount of their Tonnage, that were Built and Registered in the several Ports of the British Empire, in the Years ended the 5th January, 1817, 1818, and 1819, respectively.

| | In the Years ending the 5th January. | | | | | |
|---|---|---|---|---|---|---|
| | 1817. | | 1818. | | 1819. | |
| | Vessels. | Tonnage. | Vessels. | Tonnage. | Vessels. | Tonnage. |
| United Kingdom ........ | 851 | 84,676 | 758 | 81,263 | 752 | 86,748 |
| Isles, Guernsey, Jersey, and Man ...... | 15 | 443 | 8 | 845 | 9 | 316 |
| British Plantations........ | 408 | 32,282 | 316 | 22,321 | 167 | 10,441 |
| Total ......... | 1,274 | 117,401 | 1,082 | 104,429 | 928 | 97,505 |

An Account of the Number of VESSELS, with the Amount of their TONNAGE, and the Number of MEN and BOYS usually employed in navigating the same, that belonged to the several Ports of the BRITISH Empire, on the 30th September in the Years 1816, 1817, and 1818, respectively.

| | On 30th Sept. 1816. | | | On 30th Sept. 1817. | | | On 30th Sept. 1818 | | |
|---|---|---|---|---|---|---|---|---|---|
| | Vessels. | Tons. | Men. | Vessels. | Tons. | Men. | Vessels. | Tons. | Men. |
| United Kingdom... | 21,515 | 2,479,733 | 158,516 | 21,290 | 2,397,665 | 152,352 | 21,526 | 2,426,969 | 154,893 |
| Isles, Guernsey, Jersey, and Man ... | 511 | 24,564 | 3,445 | 485 | 23,689 | 3,190 | 498 | 25,639 | 3,595 |
| British Plantations | 3,775 | 279,643 | 16,859 | 3,571 | 243,632 | 15,471 | 3,483 | 221,860 | 15,121 |
| TOTAL...... | 25,801 | 2,783,940 | 178,820 | 25,346 | 2,664,986 | 171,013 | 25,507 | 2,674,468 | 173,609 |

An Account of the Number of VESSELS, with the Amount of their TONNAGE, and the Number of MEN and BOYS employed in navigating the same (including their repeated Voyages), that entered INWARDS, and cleared OUTWARDS, at the several Ports of the United Kingdom, from and to all Parts of the World (exclusive of the Intercourse between GREAT BRITAIN and IRELAND respectively), during each of the Three Years ending 5th January, 1819.

| | INWARDS. | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|
| | BRITISH AND IRISH. | | | FOREIGN. | | | TOTAL. | | |
| | Vessels. | Tons. | Men. | Vessels. | Tons. | Men. | Vessels. | Tons. | Men. |
| Years ending 5th January, 1817 ... | 9,744 | 1,415,723 | 90,119 | 3,116 | 379,465 | 25,345 | 12,860 | 1,795,188 | 115,464 |
| 1818 ... | 11,255 | 1,625,121 | 97,273 | 3,396 | 445,011 | 27,047 | 14,651 | 2,070,132 | 124,320 |
| 1819 ... | 13,006 | 1,886,394 | 111,880 | 6,230 | 762,457 | 43,936 | 19,236 | 2,648,851 | 155,816 |
| | OUTWARDS. | | | | | | | | |
| Years ending 5th January, 1817 ... | 9,044 | 1,340,277 | 86,651 | 2,579 | 399,160 | 23,481 | 11,623 | 1,739,437 | 110,132 |
| 1818 ... | 10,713 | 1,558,336 | 97,362 | 2,905 | 440,622 | 25,270 | 13,618 | 1,998,958 | 122,632 |
| 1819 ... | 11,442 | 1,715,566 | 106,610 | 5,400 | 734,571 | 40,181 | 16,842 | 2,450,137 | 146,791 |

# V.—PUBLIC EXPENDITURE—5th Jan. 1819.

| Heads of Expenditure. | Sums. £. | s. | d. | Total. £. | s. | d. |
|---|---|---|---|---|---|---|
| I. For Interest, &c. on the Permanent Debt of the United Kingdom, unredeemed; including Annuities for Lives and Terms of Years | - | - | - | 44,648,738 | 18 | 10¼ |
| II. The Interest on Exchequer Bills, and Irish Treasury Bills | - | - | - | 2,200,414 | 2 | 1½ |
| III. The Civil Lists of England £.1,028,000 <br> Ireland 208,167 | | | | 46,849,153 | 0 | 11¾ |
| | 1,236,167 | 12 | 2½ | | | |
| IV. The other Charges on the Consolidated Fund. Courts of Justice, in England | 67,967 | 12 | 2 | | | |
| Mint | 15,000 | 0 | 0 | | | |
| Allowances to the Royal Family, Pensions, &c. | 457,678 | 4 | 9¾ | | | |
| Salaries and Allowances | 60,158 | 4 | 2 | | | |
| Bounties, Compensations, &c. | 29,675 | 16 | 8 | | | |
| Miscellaneous | 135,134 | 15 | 5 | | | |
| Permanent Charges in Ireland | 374,297 | 7 | 7¼ | | | |
| | | | | 2,376,079 | 13 | 0½ |
| V. The Civil Government of Scotland | - | - | - | 129,627 | 3 | 4½ |
| VI. The other Payments in Anticipation of the Exchequer Receipts, viz. £. s. d. | | | | | | |
| Bounties for Fisheries, Manufactures, Corn, &c. Customs 316,468 10 4¼ <br> Excise 70,642 11 7¼ | | | | | | |
| | 387,111 | 1 | 11½ | | | |
| Pensions on the Hereditary Revenue Excise £.14,000 0 0 <br> Post Office 13,700 0 0 | | | | | | |
| | 27,700 | 0 | 0 | | | |
| Militia, and Deserters Warrants, &c. | 68,660 | 4 | 0½ | | | |
| | | | | 483,471 | 6 | 0 |
| VII. The Navy, viz. | | | | | | |
| Wages | 2,424,800 | 0 | 0 | | | |
| General Services | 2,696,797 | 14 | 0¾ | | | |
| | 5,121,597 | 14 | 0¾ | | | |
| The Victualling Department | 1,400,116 | 13 | 8 | | | |
| | | | | 6,521,714 | 7 | 8¾ |
| VIII. The Ordnance | - | - | - | 1,407,807 | 11 | 0¼ |
| IX. The Army, viz. | | | | | | |
| Ordinary Services £.7,255,646 2 9¾ | | | | | | |
| Extraordinary Services, including Remittances and Advances to other Countries 1,261,604 1 3¼ | | | | | | |
| | 8,517,250 | 4 | 1 | | | |
| Deduct the Amount of Remittances and Advances to other Countries, included in Appendix I. | 206 | 1 | 0½ | | | |
| | | | | 8,517,044 | 3 | 0½ |
| X. Loans, Remittances, and Advances to other Countries, viz. | | | | | | |
| Morocco, and the Native Chiefs on the Coast of Africa | 149 | 5 | 0 | | | |
| Holland | 56 | 16 | 0½ | | | |
| | | | | 206 | 1 | 0½ |
| XI. Issues from Appropriated Funds, for Local Purposes | - | - | - | 60,078 | 13 | 6 |
| XII. Miscellaneous Services, viz. | | | | | | |
| At home | 1,722,956 | 3 | 4¼ | | | |
| Abroad | 897,935 | 0 | 0 | | | |
| | | | | 2,620,891 | 3 | 4¼ |
| | | | | 68,966,073 | 3 | 1 |
| Deduct, Sinking Fund on Loan to the East India Company | - | - | - | 144,636 | 1 | 1 |
| | | | | *68,821,437 | 2 | 0 |

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* This includes the Sum of £.495,609 5 10, for Interest, Management, and Sinking Fund, on Imperial Loan; and £.57,025 0 7¼, Portuguese Loan.

# VI. PUBLIC FUNDED DEBT.

An Account of the PUBLIC FUNDED DEBT of the UNITED KINGDOM, payable in GREAT BRITAIN, as the same stood on the 5th January, 1819.

| | CAPITALS, at £.3 per Cent per Annum. | | | | | | | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | Bank of England, and Annuities, 1726. | South Sea Old and New Annuities, 1751. | | | Consolidated Annuities. | | | Reduced Annuities. | | | £.3½ per Cent per Annum. | | | Consolidated £.4 per Cent. | | | CAPITALS, at £.5 per Cent. Consolidated Annuities. | | |
| | £. | £. | s. | d. | £. | s. | d. | £. | s. | d. | £. | s. | d. | £. | s. | d. | £. | s. | d. |
| TOTAL DEBT of the United Kingdom, payable in Great Britain ………… | 14,686,800 | 21,037,684 | 13 | 11½ | 397,367,153 | 4 | 0¼ | 192,312,867 | 2 | 2 | 25,356,573 | 12 | 3 | 74,935,719 | 2 | 2 | 136,496,661 | 0 | 3 |
| ………… payable in Ireland………… | - - - | - | - | - | - | - | - | - | - | - | 16,653,274 | 10 | 0 | 789,784 | 12 | 4 | 11,155,490 | 9 | 9½ |
| TOTAL LOANS to the Emperor of Germany, payable in Great Britain … | - - - | - | - | - | 7,502,633 | 6 | 8 | - | - | - | - | - | - | - | - | - | - | - | - |
| ………… Loans to the Prince Regent of Portugal, payable in Ditto……… | - - - | - | - | - | - | - | - | 895,522 | 7 | 9 | - | - | - | - | - | - | - | - | - |
| | 14,686,800 | 21,037,684 | 13 | 11½ | 404,869,786 | 10 | 8¼ | 193,208,389 | 9 | 11 | 42,009,848 | 2 | 3 | 75,725,505 | 14 | 6 | 147,652,151 | 10 | 0½ |
| In the Names of the Commissioners of the National Debt ……………… | - - - | 7,564,800 | 0 | 0 | 31,850,380 | 8 | 10 | 56,543,040 | 11 | 9 | 1,908,400 | 0 | 0 | 24,168 | 18 | 9 | 18,448 | 12 | 9 |
| | 14,686,800 | 13,472,884 | 13 | 11½ | 373,019,406 | 1 | 10¼ | 136,665,348 | 18 | 2 | 40,101,448 | 2 | 3 | 75,701,334 | 15 | 9 | 147,633,702 | 17 | 3½ |
| Transferred to Commissioners for Purchase of Life Annuities, per Act 48 Geo. 3, c. 142 ……………………… | - - - | - | - | - | 3,172,734 | 0 | 0 | 1,653,860 | 0 | 0 | 13,480 | 0 | 0 | 55,072 | 0 | 0 | - | - | - |
| TOTAL …… … | 14,686,800 | 13,472,884 | 13 | 11½ | 369,846,672 | 1 | 10¼ | 135,011,488 | 18 | 2 | 40,087,968 | 2 | 3 | 75,646,262 | 15 | 9 | 147,633,702 | 17 | 3½ |

| (*Repeated Column.*) | CAPITALS, at £.5 per Cent. Annuities, 1797 and 1802. | | | TOTAL CAPITALS. | | | ANNUAL INTEREST. | | | Annuities for Lives, or for Terms of Years. | | | Charges of Management | | | Annual, or other Sums, by Sundry Acts. | | | TOTAL of ANNUAL EXPENSE. | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | £. | s. | d. | £. | s. | d. | £. | s. | d. | £. | s. | d. | £. | s. | d. | £. | s. | d. | £. | s. | d. |
| TOTAL DEBT of the United Kingdom, payable in Great Britain… | 1,021,968 | 12 | 4 | 863,215,427 | 7 | 1¾ | 29,522,975 | 9 | 4¾ | 1,432,834 | 1 | 1¾ | 273,773 | 11 | 7¼ | 12,315,281 | 5 | 7 | 43,544,864 | 7 | 8¾ |
| ………… payable in Ireland …… | - | - | - | 28,598,549 | 12 | 1½ | 1,172,230 | 10 | 3¾ | 43,908 | 18 | 5¾ | 2,228 | 2 | 8¼ | 433,542 | 0 | 9 | 1,651,909 | 12 | 2¾ |
| TOTAL LOANS to the Emperor of Germany, payable in Great Britain ………………………… | - | - | - | 7,502,633 | 6 | 8 | 225,079 | 0 | 0 | 230,000 | 0 | 0 | 3,765 | 9 | 4½ | 36,693 | 0 | 0 | 495,537 | 9 | 4½ |
| ………… Loans to the Prince Regent of Portugal, payable in Ditto……………………… | - | - | - | 895,522 | 7 | 9 | 26,865 | 13 | 5¼ | - | - | - | 121 | 4 | 7 | 30,000 | 0 | 0 | 56,986 | 18 | 0¼ |
| | 1,021,968 | 12 | 4 | 900,212,132 | 13 | 8¼ | 30,947,150 | 13 | 1¾ | 1,706,742 | 19 | 7½ | 279,888 | 8 | 3 | 12,815,516 | 6 | ¼ | 45,749,298 | 7 | 4¼ |
| In the Names of the Commissioners of the National Debt ………… | 6,629 | 0 | 9 | 97,915,867 | 12 | 10 | 2,947,761 | 5 | 4¾ | 587 | 3 | 10 | - | - | - | 2,948,348 | 9 | 2¾ | — | | |
| Transferred to Commissioners for Purchase of Life Annuities, per | 1,015,339 | 11 | 7 | 802,296,265 | 0 | 10¼ | 27,999,389 | 7 | 9 | 1,706,155 | 15 | 9½ | 279,883 | 8 | 3 | 15,763,864 | 15 | 6¾ | 45,749,298 | 7 | 4¼ |
| Act 48, Geo. 3, c. 142………… | - | - | - | 4,895,146 | 0 | 0 | 148,090 | 12 | 4¾ | 6,980 | 0 | 0 | - | - | - | 155,070 | 12 | 4¾ | — | | |
| TOTAL ……… … | 1,015,339 | 11 | 7 | 797,401,119 | 0 | 10¼ | 27,851,298 | 15 | 4¼ | 1,699,175 | 15 | 9½ | 279,888 | 8 | 3 | 15,918,935 | 7 | 11½ | 45,749,298 | 7 | 4¼ |
| Add Annuities payable at the Exchequer, Unclaimed for three Years, at 5th January, 1819 … | | | | | | | | | | | | | | | | 31,005 | 12 | 0 | | | |
| | | | | | | | | | | | | | | | | 15,949,940 | 19 | 11½ | | | |
| Deduct Life Annuities payable at the Bank of England ………… | | | | | | | | | | | | | | | | 329,437 | 2 | 6 | | | |
| Amount applicable to the Reduction of the Debt of the United Kingdom ……… ……………… | | | | | | | | | | | | | | | | 15,620,503 | 17 | 5½ | | | |

WM. ROSE HAWORTH.

# REDEMPTION OF THE PUBLIC FUNDED DEBT.

An Account of the Progress made in the Redemption of the PUBLIC FUNDED DEBT of the United Kingdom, payable in GREAT BRITAIN, at the 5th January, 1819.

| FUNDS. | CAPITALS. £. | s. | d. | Long Annuities at the Bank of England. £. | s. | d. | Transferred to, or Redeemed by the Commissioners, from 1st August, 1786, to 5th Jan., 1819. £. | s. | d. | TOTAL SUMS paid. £. | s. | d. | Average Price of Stocks. |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Consolidated £. 3 per Cent Annuities | 490,008,119 | 7 | 10¼ | - | - | - | 108,951,837 | 0 | 0 | 70,034,782 | 5 | 10 | 64¼ |
| Reduced Do. | 363,027,452 | 0 | 1 | - | - | - | 215,020,811 | 0 | 0 | 135,878,652 | 17 | 4 | 63¼ |
| £. 3½ per Cent Annuities | 25,356,573 | 12 | 3 | - | - | - | 1,908,400 | 0 | 0 | 1,663,223 | 5 | 0 | 87⅛ |
| Old South Sea ... Do. | 24,065,084 | 13 | 11½ | - | - | - Old | 6,498,300 | 0 | 0 | 4,454,859 | 2 | 0 | 68½ |
| New ... Do. ..... Do. | | | | - | - | - New | 4,910,500 | 0 | 0 | 3,409,057 | 11 | 9 | 69⅜ |
| £. 3 per Cent ... Do., Anno 1751 | 1,919,600 | 0 | 0 | - | - | - | 1,103,000 | 0 | 0 | 777,348 | 0 | 0 | 70½ |
| Consolidated £. 4 per Cent Annuities | 82,732,119 | 2 | 2 | - | - | - | 7,796,400 | 0 | 0 | 6,586,934 | 8 | 9 | 84½ |
| Do. ... £. 5 ... Do. ... Do. | 135,042,057 | 9 | 7 | - | - | - | 145,500 | 0 | 0 | 130,113 | 7 | 6 | 89⅜ |
| £. 5 per Cent Annuities, Annis 1797 and 1802 | 1,021,968 | 12 | 4 | — | | | — | | | — | | | — |
| £. 3 per Cent ... Do. ... Anno 1726 | 1,000,000 | 0 | 0 | — | | | — | | | — | | | — |
| Do. ...... Bank Annuities | 14,686,800 | 0 | 0 | — | | | — | | | — | | | — |
| Consolidated Long ... Do. | - | - | - | 1,359,435 | 18 | 8½ | — | | | — | | | — |
| £. 5 per Cent Annuities, formerly paid by Ireland | 1,776,900 | 0 | 0 | - | - | - | 180,296 | 9 | 4 | 155,334 | 10 | 3 | 86⅛ |
| | | | | | | | 346,515,044 | 9 | 4 | 223,090,305 | 8 | 5 | |
| Capitals transferred to the Commissioners, the Dividends on which have not been claimed for 10 years and upwards, and which are subject to the Claims of the Parties entitled thereto | - | - | - | - | - | - | 604,346 | 9 | 10 | | | | |
| | 1,140,636,674 | 18 | 2¾ | 1,359,435 | 18 | 8½ | 347,119,490 | 19 | 2 | | | | |
| Transferred to Commissioners, on account of Land Tax Redeemed | 25,502,093 | 1 | 9 | — | | | | | | | | | |
| | 1,115,134,581 | 16 | 5¾ | — | | | | | | | | | |
| ..... Ditto ...... for Purchase of Life Annuities, per Act 48 Geo. 3 | 4,895,146 | 0 | 0 | 6,980 | 0 | 0 | | | | | | | |
| | 1,110,239,435 | 16 | 5¾ | 1,352,455 | 18 | 8½ | | | | | | | |
| Redeemed by the Commissioners, including Capitals, the Dividends upon which have not been claimed for 10 Years and upwards | 347,119,490 | 19 | 2 | 540 | 16 | 2 | | | | | | | |
| Unredeemed Debt of the United Kingdom, payable in Great Britain, at 5th Jan. 1819 | 763,119,944 | 17 | 3¾ | 1,351,915 | 2 | 6½ | | | | | | | |

| SUMS annually applicable to the Redemption of the National Debt. | | | | £. | s. | d. |
|---|---|---|---|---|---|---|
| Annual Charge, per Act 26 Geo. 3 | | | | 1,000,000 | 0 | 0 |
| Ditto 42 ... Ditto | | | | 200,000 | 0 | 0 |
| Ditto ... per Act 58 Geo. 3, c. 101 | | | | 560,000 | 0 | 0 |
| Annuities for 99 and 96 Years, Expired 1792 | | | | 54,880 | 14 | 6 |
| Ditto ...... 10 Years ...... Anno 1787 | | | | 25,000 | 0 | 0 |
| Exchequer Life Annuities Unclaimed for Three Years, at 5th January, 1819 | | | | 31,005 | 12 | 0 |
| Ditto ...... of which, Nominees shall have died prior to 5th July, 1802 | | | | 21,481 | 6 | 1 |
| Annual Interest on £.336,484,448 at £.3 per Cent | | | | 10,094,533 | 8 | 9½ |
| Ditto ...... on 1,908,400 at 3½ Ditto | | | | 66,794 | 0 | 0 |
| Ditto ...... on 7,796,400 at 4 Ditto | | | | 311,856 | 0 | 0 |
| Ditto ...... on 145,500 at 5 Ditto | | | | 7,275 | 0 | 0 |
| Ditto ...... on 180,296 9 4 Irish £.5 per Cent, payable in England | | | | 9,014 | 16 | 5½ |
| £.1 per Cent on part of Capitals created, from 1793 to 1815 | | | | 6,640,220 | 3 | 7½ |
| Ann. Interest on £.4,826,594 ... £.3 per Cents, trans. for Purchase of Life Ann. | | | | 144,797 | 16 | 4¾ |
| Ditto ... on 13,480 ... 4 per Cents ...... Ditto | | | | 539 | 4 | 0 |
| Ditto ...... on 55,072 ... 5 per Cents ...... Ditto | | | | 2,743 | 12 | 0 |
| Long Annuities transferred for Ditto | | | | 6,980 | 0 | 0 |
| Proportion of Sinking Fund, Anno 1815, to be borne by Consolidated Fund | | | | 543,494 | 6 | 11½ |
| Sinking Fund on Bills funded, &c. | | | | 430,924 | 5 | 2 |
| Annual Appropriation on £.12,000,000, part of £.14,200,000, Loan 1807 | | | | 626,255 | 10 | 5 |
| Annual Interest on £.179,499 17 7 ... £.3 per Cents, unclaimed for 10 Years and upwards | | | | 5,384 | 19 | 11 |
| Annual Interest on £.24,168 18 9 ... £.4 per Cents Ditto | | | | 966 | 15 | 1¾ |
| Ditto ...... on 21,577 13 6 ... 5 per Cents Ditto | | | | 1,078 | 17 | 8 |
| Long Annuities, Unclaimed ... Ditto ... Ditto | | | | 540 | 16 | 2 |
| Annual Interest on £.379,200 ... £.3 per Cents, purchased with Unclaimed Dividends | | | | 11,376 | 0 | 0 |
| | | | | 20,797,153 | 5 | 3½ |
| Chargeable on Sinking Fund: | | | | | | |
| Life Annuities | £.329,437 | 2 | 6 | | | |
| Loans and Bills, funded from 1813 to 1815 | 7,632,969 | 14 | 9¼ | | | |
| Part of Charge on Treasury Bills raised for Ireland, Anno 1816 | 9,014 | 16 | 5½ | | | |
| | 7,971,421 | 13 | 8¾ | | | |
| Deduct for Sinking Fund for said Loans and Bills | 2,213,024 | 18 | 10½ | | | |
| | | | | 5,758,396 | 14 | 10¼ |
| Actual Sinking Fund of Great Britain and Ireland, funded therein, Consolidated | | | | 15,038,756 | 10 | 5¼ |

| ANNUITIES fallen in since 22nd June, 1802, or that will fall in hereafter. | £. | s. | d. |
|---|---|---|---|
| Exchequer Annuities, 2nd and 3rd Anne; Expired 5th April, 1803 | 23,369 | 13 | 4 |
| Ditto ... Ditto ... 5th Jan. 1805 | 7,030 | 6 | 8 |
| Ditto ... 4 Anne ... Ditto ... 5th April | 23,254 | 11 | 6 |
| Ditto, 5 Ditto ... Ditto ... 1806 | 7,776 | 10 | 0 |
| Ditto, 6 Ditto ... Ditto ... 1807 | 4,710 | 10 | 0 |
| Ditto ... 5th July | 10,181 | 0 | 0 |
| Bank Short Annuities Do. 5th Jan. 1808 | 418,333 | 0 | 11 |
| Ditto Long Ditto will expire Ditto 1860 | 1,359,435 | 18 | 8½ |
| By an Act of 42nd Geo. 3, cap. 71, such Annuities as fall in after the passing of that Act, are not to be placed to the Account of the Commissioners for the Reduction of the National Debt. | | | |

## An Account of the Progress made in the Redemption of the IMPERIAL DEBT, at 5th January, 1819.

| FUNDS. | CAPITALS. | Long Annuities at the Bank of England. | Transferred to, or Redeemed by the Commissioners from 1st August, 1786, to 5th January, 1819. | TOTAL SUMS paid. | Average Price of Stock. | SUMS Annually applicable to the Reduction of the DEBT. | | ANNUITIES fallen in since 22nd June, 1802, or that will fall in hereafter. |
|---|---|---|---|---|---|---|---|---|
| | £. s. d. | £. s. d. | £. s. d. | £. s. d. | | | £. s. d. | |
| Imperial £.3 per Cent Annuities...... ...... . | 7,502,633 6 8 | 230,000 0 0 | 2,176,165 0 0 | 1,354,639 12 11 | 62¼ | £.1 per Cent per annum on Capitals created by Loan, 1797 .... | 36,693 0 0 | Imperial Annuities for 25 Years, will expire 1st May, 1819. |
| Redeemed by the Commissioners, including Capital transferred to them, the Dividends on which have not been claimed for 10 Years and upwards........... | 2,176,565 3 0 | 46 7 8 | 400 3 0 | | | Annual Interest on £.2,176,165, at £.3 per Cent........................ | 65,284 19 0 | £.230,000 0 0 |
| | | | | | | Annual Interest on £.400 3 Unclaimed Capital, £.3 per Cent... | 12 0 1 | |
| | | | | | | Annual Interest on Imperial Annuities for 25 Years ............... | 46 7 8 | |
| Debt Unredeemed at 5th January, 1819 ... | 5,326,068 3 8 | 229,953 12 4 | 2,176,565 3 0 | | | | 102,036 6 9 | |

## An Account of the Progress made in the Redemption of the DEBT of PORTUGAL, at 5th January, 1819.

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| Reduced £.3 per Cent Annuities .. ............ | 895,522 7 9 | - - - | 538,966 0 0 | 354,388 8 3 | 65¾ | Annual Appropriation for Redemption of Loan, 1809............ | 30,000 0 0 |
| Redeemed by the Commissioners............... | 538,966 0 0 | | | | | Annual Interest on £.538,966 £.3 per Cent ......................... | 16,168 19 7 |
| Debt Unredeemed at 5th January, 1819 ... | 356,556 7 9 | | | | | | 46,168 19 7 |

An Account of the Progress made in the Redemption of the FUNDED DEBT of IRELAND, payable in IRELAND, at 5th January, 1819. in British Currency.

| | | Terminable and Life Annuities. | | | |
|---|---|---|---|---|---|
| £.3½ per Cent Debentures and Stock …… | 18,713,502 16 2 | - - - | 7,430,694 19 1 | 5,805,507 17 3¼ | 78⅛ |
| £.4 per Cents ……… | 1,061,630 15 5 | - - - | 435,184 12 4 | 385,623 16 5¾ | 88⅝ |
| £.5 per Cents, exclusive of £.180,296 9 4 Redeemed Irish £.5 per Cents, payable in England …………… | 12,694,399 16 5 | - - -<br>110,525 4 11¾ | 1,538,909 6 7½ | 1,382,187 1 1¾ | 89¼ |
| | 32,469,533 8 0 | 110,525 4 11¾ | 9,404,788 18 0½ | 7,573,318 14 11¼ | |
| Redeemed by the Commissioners…………… | 9,404,788 18 0½ | | | | |
| | 23,064,744 9 11½ | | | | |
| Deduct Ann. expired… | - - - | 66,616 6 6 | | | |
| Debt Unredeemed at 5th January, 1819 … | 23,064,744 9 11½ | 43,908 18 5¼ | | | |

| | | |
|---|---|---|
| Annual Charge, per Act 37 Geo. 3, | | 62,445 5 7 |
| Terminable Annuities expired …… | | 66,616 6 6 |
| Part of per Centage on Loans and Outstanding Treasury Bills, at 5th January, 1819 …………………… | | 276,403 10 2¼ |
| Ann. Interest on £.7,430,694 19 1 at 3½ per Cent…………………… | | 260,074 6 5½ |
| Ditto … on £.435,184 12 4 at 4 per Cent ………………………… | | 17,407 7 8¼ |
| Ditto … on £.1,538,909 6 7½ at 5 per Cent …………………… | | 76,945 9 4 |
| Chargeable on Sinking Fund: | | 759,892 5 9 |
| Interest cancelled in Ireland, towards defraying the Charge of Treasury Bills raised in 1816, &c. the remainder being cancelled in England ….. £.159,927 6 0¾ | | |
| Deduct for Sinking Fund for said Bills …… | 28,076 18 5¾ | 131,850 7 7 |
| Actual Sinking Fund of Ireland, payable in Ireland ………. …… | | 628,041 18 2 |

## VII.—UNFUNDED DEBT.

An Account of the UNFUNDED DEBT and DEMANDS OUTSTANDING on the 5th of January, 1819.

|  |  |  |  | AMOUNT OUTSTANDING. |  |  |
|---|---|---|---|---|---|---|
|  | £. | s. | d. | £. | s. | d. |
| EXCHEQUER: |  |  |  |  |  |  |
| Exchequer Bills ... Provided for | 447,000 | 0 | 0 |  |  |  |
| Exchequer Bills ... Unprovided for | 43,208,400 | 0 | 0 |  |  |  |
|  |  |  |  | 43,655,400 | 0 | 0 |
| TREASURY: |  |  |  |  |  |  |
| Miscellaneous Services | 768,867 | 11 | 10 |  |  |  |
| Warrants for Army Services | 151,034 | 1 | 9 |  |  |  |
| Treasury Bills of Exchange drawn from Abroad | 289,219 | 0 | 3 |  |  |  |
| Irish Treasury Bills, Unprovided for | 4,400,000 | 0 | 0 |  |  |  |
|  |  |  |  | 5,609,120 | 13 | 10 |
| ARMY |  |  |  | 1,009,469 | 13 | 8½ |
| NAVY |  |  |  | 1,376,135 | 3 | 8½ |
| ORDNANCE |  |  |  | 339,864 | 1 | 8¾ |
| BARRACKS |  |  |  | 2,106 | 1 | 3 |
|  |  |  |  | 51,992,095 | 14 | 2¾ |

Whitehall, Treasury Chambers,
25th March, 1819.

S. R. LUSHINGTON.

## VIII.—DISPOSITION OF GRANTS.

An Account, showing how the MONIES given for the SERVICE of the United Kingdom of GREAT BRITAIN and IRELAND, for the Year 1818, have been disposed of; distinguished under their several Heads, to the 5th January, 1819.

| SERVICES. |  |  |  | SUMS Voted or Granted. |  |  | SUMS paid. |  |  |
|---|---|---|---|---|---|---|---|---|---|
|  | £. | s. | d. | £. | s. | d. | £. | s. | d. |
| NAVY: |  |  |  |  |  |  |  |  |  |
| For Wages for 20,000 Men, including 6,000 Royal Marines, for Thirteen Lunar Months, at the rate of £. 2 7 per Man per Month | 611,000 | 0 | 0 |  |  |  |  |  |  |
| For Victuals of the said 20,000 Men; for Thirteen Lunar Months, at the rate of £. 2 per Man per Month | 520,000 | 0 | 0 |  |  |  |  |  |  |
| For the Wear and Tear of the Ships in which the said 20,000 Men are to serve; for Thirteen Lunar Months, at the rate of £. 2 3 per Man per Month | 559,000 | 0 | 0 |  |  |  |  |  |  |
| For defraying the Ordinary Establishment of the Navy; for the Year 1818 | 2,480,680 | 17 | 3 |  |  |  |  |  |  |
| For defraying the Charge of what may be necessary for the building, re-building, and repairs of Ships of War in his Majesty's and the Merchant's Yards, and other Extra Works, over and above what is proposed to be done under the Heads of Wear and Tear, and Ordinary; for the Year 1818 | 1,787,181 | 0 | 0 |  |  |  |  |  |  |
| For the Purchase of Provisions for Troops and Garrisons on Foreign Stations, and the value of Rations for Troops to be embarked on board Ships of War and Transports; for the Year 1818 | 320,000 | 0 | 0 |  |  |  |  |  |  |
| For the Expense of the Transport Service; for the Year 1818 | 178,948 | 0 | 0 |  |  |  |  |  |  |
|  |  |  |  | 6,456,809 | 17 | 3 | 5,156,090 | 5 | 6 |

(continued).

| SERVICES—*continued.* | £. | s. | d. | SUMS Voted or Granted. £. | s. | d. | SUMS paid. £. | s. | d. |
|---|---|---|---|---|---|---|---|---|---|
| ORDNANCE: | | | | | | | | | |
| For Ordnance for Sea Service on board the Ships in which the said 20,000 Men are to serve; for thirteen lunar Months, at the rate of 7*s.* per Man per Month | 91,000 | 0 | 0 | | | | | | |
| On Account of the Ordnance Service of the present year | 120,000 | 0 | 0 | | | | | | |
| For the Charge of the Office of Ordnance for Land Service in Great Britain for the year 1818 | 596,469 | 1 | 8 | | | | | | |
| For defraying the Expense of Services performed by the Office of Ordnance for Land Service for Great Britain, and not provided for by Parliament; in the year 1817 | 28,419 | 17 | 2 | | | | | | |
| For the Charge of the Office of Ordnance for Ireland; for the year 1818 | 115,609 | 19 | 11 | | | | | | |
| For the Charge of the Office of Ordnance for Great Britain, on account of the Allowances to Superannuated, Retired, and Half-pay Officers, to Officers for good Services, and to Wounded Officers, to Superannuated and Disabled Men; also for Pensions to Widows and Children of Deceased Officers, late belonging to the several Ordnance Military Corps; for the year 1818 | 233,408 | 2 | 0 | | | | | | |
| For the Charge of the Office of Ordnance in Ireland, on account of the Pay of Retired Officers of the late Irish Artillery and Engineers, and of Pensions to Widows of Deceased Officers of the same; for the year 1818 | 11,406 | 14 | 3 | | | | | | |
| For defraying the Expense of Allowances to Superannuated and Half-pay Officers, to Superannuated and Disabled Men, and also for Pensions to Widows of Deceased Officers, late belonging to the several Ordnance Military Corps in Great Britain, and not provided for by Parliament; in the year 1817 | 10,394 | 7 | 10 | | | | | | |
| For the Charge of Allowances, Compensations, and Emoluments, in the nature of Superannuated or Retired Allowances, to Persons late belonging to the Office of Ordnance in Great Britain, in respect of their having held any Public Offices or Employments of a Civil nature, and also for the Charge of Widows' Pensions; for the year 1818 | 29,727 | 13 | 8 | | | | | | |
| For the Charge of a like nature in Ireland; for the year 1818 | 4,164 | 6 | 3 | | | | | | |
| For repairing Damages done to the Sea Walls at Portsmouth and Haslar, by the late violent Storm | 5,000 | 0 | 0 | | | | | | |
| | | | | 1,245,600 | 2 | 9 | 1,063,307 | 13 | 10¼ |
| FORCES | | | | 8,909,608 | 3 | 10 | 7,172,213 | 19 | 4½ |
| For carrying into execution the Treaty between his Britannic Majesty and his Catholic Majesty, signed at Madrid, the 23rd day of September, 1817 | | | | 400,000 | 0 | 0 | 400,000 | 0 | 0 |
| For defraying the Charge of the Civil Establishments under-mentioned; viz. | | | | | | | | | |
| Of Sierra Leone, from the 1st day of January to the 31st day of December, 1818 | | | | 15,450 | 0 | 0 | 14,000 | 0 | 0 |
| Ditto ...... Nova Scotia ...... from Ditto to Ditto | | | | 13,440 | 0 | 0 | 6,720 | 0 | 0 |
| Ditto ...... New South Wales ...... from Ditto to Ditto | | | | 12,605 | 0 | 0 | 6,000 | 0 | 0 |

(continued)

| SERVICES—*continued.* | SUMS Voted or Granted. | | | SUMS paid. | | |
|---|---|---|---|---|---|---|
| | £. | s. | d. | £. | s. | d. |
| For defraying the Charge of the Civil Establishment of Upper Canada, from 1st day of January to the 31st December, 1818... | 10,800 | 0 | 0 | 5,400 | 0 | 0 |
| Ditto......New Brunswick ..............from Ditto to Ditto...... | 6,757 | 10 | 0 | 3,000 | 0 | 0 |
| Ditto......Newfoundland ..............from Ditto to Ditto...... | 5,485 | 0 | 0 | 3,000 | 0 | 0 |
| Ditto...... St. John (now called Prince Edward Island) } from Ditto to Ditto...... | 3,760 | 0 | 0 | 1,000 | 0 | 0 |
| Ditto......Bahama Islands, in addition to the Salaries now paid to the Public Officers out of the Duty Fund, and the Incidental Charges attending the same ......} from Ditto to Ditto...... | 3,301 | 10 | 0 | 1,700 | 0 | 0 |
| Ditto......Cape Breton ..................from Ditto to Ditto...... | 2,190 | 0 | 0 | 1,000 | 0 | 0 |
| Ditto......Dominica ....................from Ditto to Ditto...... | 600 | 0 | 0 | 242 | 6 | 1¾ |
| Royal Military College; from the 25th December, 1817, to the 24th December, 1818, both inclusive, being 365 days .. ...... | 25,514 | 16 | 9 | 25,514 | 16 | 9 |
| Royal Military Asylum at Chelsea; for the same time............ | 32,851 | 0 | 3 | 23,300 | 0 | 0 |
| Interest on Exchequer Bills, Irish Treasury Bills, and Mint Notes ........................................................................ | 2,000,000 | 0 | 0 | 1,587,128 | 4 | 0¾ |
| One hundredth part of 56 Millions of Exchequer Bills, authorized, in the last Session of Parliament, to be issued and paid by equal Quarterly Payments to the Governor and Company of the Bank of England, to be by them placed to the Account of the Commissioners for the Reduction of the National Debt; for the year ending the 1st February, 1819...................... .. | 560,000 | 0 | 0 | 420,000 | 0 | 0 |
| To enable his Majesty to provide for such Expenses of a Civil Nature, in Great Britain, as do not form part of the ordinary Charges of the Civil List.......................... £.250,000 0 0 | | | | | | |
| Ditto......Ditto......Ditto.............................. 120,000 0 0 | | | | | | |
| | 370,000 | 0 | 0 | 369,997 | 1 | 9¼ |
| To defray the Expense of Law Charges; for the year 1818 ......... | 25,000 | 0 | 0 | 23,000 | 0 | 0 |
| Expense attending the confining, maintaining, and employing Convicts at Home; for the year 1818 ................................ | 89,368 | 14 | 10 | 75,000 | 0 | 0 |
| Expense that may be incurred for Prosecutions, &c. relating to the Coin of this Kingdom; for the year 1818 .................. | 6,000 | 0 | 0 | 6,000 | 0 | 0 |
| Charge for printing Acts of Parliament for the two Houses of Parliament, for the Sheriffs, Clerks of the Peace, and Chief Magistrates throughout the United Kingdom, and for the acting Justices throughout Great Britain; also for printing Bills, Reports, Evidence, and other Papers and Accounts for the House of Lords; for the year 1818 .................................. | 17,000 | 0 | 0 | — | | |
| To make good the Deficiency of the Grant of 1817, for printing 1750 Copies of the 71st Volume of Journals of the House of Commons .......................................................... | 427 | 3 | 3 | 427 | 3 | 3 |
| To make good Ditto for defraying the Expenses of printing Bills, Reports, and other Papers, by order of the House of Commons, during the last Session ... .............................................. | 1,446 | 15 | 7 | 1,446 | 15 | 7 |
| To defray the Expense of printing the Votes of the House of Commons, during the present Session of Parliament ............ | 2,200 | 0 | 0 | 2,063 | 4 | 10 |
| To make good the Deficiency of the Grant of 1817, for reprinting Journals and Reports of the House of Commons.................. | 6,824 | 7 | 1½ | 6,824 | 7 | 1½ |
| To defray the Expense, in the present Session, for printing 1,150 Copies of the General Index to 16 Volumes of Journals of the House of Lords, from the 20th to the 35th Volume, both inclusive .......................................................... | 1,969 | 6 | 3 | 1,969 | 6 | 3 |
| To defray the Amount of Bills drawn or to be drawn from New South Wales; for the year 1818 ...................................... | 80,000 | 0 | 0 | 80,000 | 0 | 0 |
| To pay off and discharge Exchequer Bills issued pursuant to Acts of the 7th and 11th years of the reign of Queen Anne, remaining in the Chests of the Tellers of the Exchequer, together with the Interest due upon them outstanding and unprovided for .......................................... . .......... | 1,092 | 14 | 2¾ | 1,092 | 14 | 2¾ |
| For defraying the Expenses of the Gold Coinage; for the year 1818.................................................................... | 75,000 | 0 | 0 | 25,000 | 0 | 0 |

(*continued*)

| Services—*continued.* | Sums Voted or Granted. | | | Sums paid. | | |
|---|---|---|---|---|---|---|
| | £. | *s.* | *d.* | £. | *s.* | *d.* |
| To make good the deficiency of the Vote in the year 1816, for making good any deficiency or loss that might arise from the Recoinage of the Silver Coin of this Realm, and the Charges and Expenses of melting down, casting, assaying, and recoining the same, and all other Expenses incident thereto ........ | 54,337 | 1 | 11 | — | | |
| For defraying the Expense of printing Bills, Reports, and other Papers, by order of the House of Commons, during the present Session of Parliament .......... .......................................... | 21,000 | 0 | 0 | — | | |
| For defraying the Expense that may be incurred in 1818, for printing 1,750 Copies of the 73rd Volume of Journals of the House of Commons, being for the present Session ............... | 3,500 | 0 | 0 | — | | |
| For defraying the Expense that may be incurred for reprinting Journals and Reports of the House of Commons, in the year 1818.......... ....................... ......... ...................... | 4,000 | 0 | 0 | — | | |
| To defray the Expense of Sundry Works proposed to be done at Holyhead; for the year 1818 ......................... ............... | 14,246 | 12 | 0 | 5,000 | 0 | 0 |
| For further making good the deficiencies of the Fee Funds; for the year 1818 ....................................................... ...... | 43,500 | 0 | 0 | 43,500 | 0 | 0 |
| For further defraying the Contingent Expenses and Messengers Bills in the Departments of the Treasury, three Secretaries of State, and Lord Chamberlain; for the year 1818 ................ | 26,000 | 0 | 0 | 21,000 | 0 | 0 |
| For further defraying the Expenses of the House of Lords and Commons; for the year 1818 ............. ............................ | 11,500 | 0 | 0 | 8,414 | 1 | 4½ |
| For further defraying the Salaries to the Officers, and Expenses of the Court, and Receipt of Exchequer; for the year 1818... | 5,500 | 0 | 0 | 2,328 | 14 | 10 |
| For further defraying the Salaries and Allowances to the Officers of the Houses of Lords and Commons; for the year 1818 ... | 23,500 | 0 | 0 | 23,257 | 19 | 4 |
| Towards further defraying the Expenses of Works, and Repairs of Public Buildings; for the year 1818 .......................... | 37,000 | 0 | 0 | 15,663 | 18 | 11 |
| For the Expense of making variations in the Road between Bangor and Chirk; for the year 1818 ........................................ .. | 10,000 | 0 | 0 | 5,000 | 0 | 0 |
| Towards building a Bridge over the Menai Strait, near Bangor Ferry; for the year 1818 ..................................................... | 20,000 | 0 | 0 | — | | |
| To complete the Expense of Building the Royal Military College at Sandhurst .............. ........................................ | 78,058 | 11 | 3 | 78,058 | 11 | 3 |
| To make up the total Sum charged upon the Fees arising in the Exchequer, in the year ending the 5th day of January, 1818 | 13,685 | 15 | 4 | 13,685 | 15 | 4 |
| To make good the deficiency of the Grants for the year 1817 ... | 259,686 | 19 | 10¼ | 216,027 | 11 | 3½ |
| For the purchase of a Lot of Ground adjoining the Branch of the Royal Military Asylum at Southampton, for the purposes of Air and Exercise.............................................................. | 850 | 0 | 0 | 850 | 0 | 0 |
| The following Services are directed to be paid, without any Fee or other Deduction whatsoever:— | | | | | | |
| To be applied in further execution of an Act of the 43rd year of his present Majesty, cap. 80, towards making Roads and building Bridges in the Highlands of Scotland; for the year 1818... | 20,000 | 0 | 0 | 20,000 | 0 | 0 |
| Towards defraying the Expense of the building of a Penitentiary House at Milbank; for the year 1818 .............................. | 60,000 | 0 | 0 | 38,500 | 0 | 0 |
| To defray the Expense of the Establishment of the Penitentiary House; from the 24th day of June, 1818, to the 24th day of June, 1819 .................. ............................................ | 11,048 | 12 | 2 | 10,700 | 0 | 0 |
| To defray the Expense of the National Vaccine Establishment; for the year 1818 ....................................... ...................... | 3,000 | 0 | 0 | 3,000 | 0 | 0 |
| To defray the Expense of confining and maintaining Criminal Lunatics; for the year 1818.................. ....................... | 2,777 | 0 | 0 | — | | |
| For the Relief of American Loyalists; for the year 1818 ......... | 12,500 | 0 | 0 | 4,500 | 0 | 0 |
| To defray the Charge of the Superannuation Allowances, or Compensations to retired Clerks and other Officers, formerly employed in the Office of the Commissioners for auditing the Public Accounts; for the year 1818 .................................. | 1,750 | 0 | 0 | — | | |
| To defray the Charge of ...... Ditto ..... Ditto ...... formerly employed in the Lottery Office; for the year 1818................ | 336 | 10 | 0 | — | | |

*(continued.)*

| SERVICES—*continued.* | SUMS Voted or Granted. | | | SUMS paid. | | |
|---|---|---|---|---|---|---|
| | £. | s. | d. | £. | s. | d. |
| To defray the Charge of the Superannuation Allowances, or Compensations to retired Clerks and other Officers, formerly employed in his Majesty's Mint; for the year 1318 | 620 | 0 | 0 | 620 | 0 | 0 |
| To defray the Charge of …… Ditto …… to one of the late Paymasters of Exchequer Bills; for the year 1818 | 266 | 13 | 4 | — | | |
| To amount of the Annuity granted to the Trustees of her late Royal Highness the Princess Charlotte Augusta, and his Serene Highness Leopold George Frederick Prince of Cobourg, which would have accrued from the 10th day of October, 1817, to the 6th day of November following, the day of her Royal Highness's death | 4,655 | 3 | 5 | 4,655 | 3 | 5 |
| To enable the Trustees of the British Museum to purchase the Library and Collection of the late Dr. Charles Burney | 13,500 | 0 | 0 | 13,500 | 0 | 0 |
| To defray the Expense of maintaining and repairing the British Forts on the Coast of Africa; for the year 1818 | 28,000 | 0 | 0 | 28,000 | 0 | 0 |
| For the Board of Agriculture; for the year 1818 | 3,000 | 0 | 0 | 3,000 | 0 | 0 |
| For defraying the Expense of Works carrying on at the College of Edinburgh; for the year 1818 | 10,000 | 0 | 0 | 10,000 | 0 | 0 |
| Towards the Repairs of Henry the Seventh's Chapel; for the year 1818 | 3,494 | 14 | 6¼ | 3,494 | 14 | 6¼ |
| For the purchase of Land on Hounslow Heath, for the Exercise of Cavalry | 15,000 | 0 | 0 | 15,000 | 0 | 0 |
| Towards defraying the Expense of making an Inland Navigation from the Eastern to the Western Sea, by Inverness and Fort William; for the year 1818 | 50,000 | 0 | 0 | 15,000 | 0 | 0 |
| To pay retired Allowances and Gratuities to the Officers and other persons formerly employed upon the Military Roads in Scotland, and the Management of which Roads has been transferred to the Commissioners for Highland Roads and Bridges | 2,397 | 0 | 0 | 2,098 | 0 | 0 |
| To be applied towards the Expenses to be incurred in the Management of the British Museum; for the year 1818 | 8,663 | 16 | 8 | 8,663 | 16 | 8 |
| Towards completing the Improvements in Westminster | 3,626 | 8 | 0 | 3,626 | 8 | 0 |
| Towards defraying the Charge of an Institution called the Veterinary College; for the year 1818 | 1,000 | 0 | 0 | 1,000 | 0 | 0 |
| To enable his Majesty to pay the same to the Governors of the Bounty of Queen Anne, for the Augmentation of the Maintenance of the Poor Clergy, according to the Rules and Regulations by which the Funds of that Corporation are governed | 100,000 | 0 | 0 | — | | |
| Towards enabling his Majesty to make provision for the Augmentation of the Maintenance of the Poorer Clergy of Scotland, to be issued and applied pursuant to the provisions of any Act passed for that purpose | 10,000 | 0 | 0 | — | | |
| For defraying the Charges of preparing and drawing the Lotteries for 1817, &c. | 18,000 | 0 | 0 | — | | |
| For defraying the Charge of the following SERVICES in IRELAND, which are directed to be paid Net in British Currency: | | | | | | |
| For the Remuneration of certain Public Officers in Ireland, for their extraordinary trouble in the year 1818 | 1,153 | 16 | 11 | 1,153 | 16 | 11 |
| For defraying the probable Expenditure of the Board of Works in Ireland; for the year 1818 | 18,901 | 0 | 0 | 9,195 | 15 | 7 |
| For defraying the Charge of Printing, Stationary, and other Disbursements, for the chief and under Secretaries' offices and apartments, and other Public Offices in Dublin Castle, &c.; and for riding Charges, and other Expenses of the Deputy Pursuivants and extra Messengers attending the said Offices; also Superannuated Allowances in the said chief Secretary's Office; for one year ending the 5th day of January, 1819 | 20,809 | 0 | 0 | 14,886 | 5 | 11½ |
| For defraying the Expense of publishing Proclamations, and other matters of a Public nature, in the Dublin Gazette and other Newspapers in Ireland; for one year ending the 5th day of January, 1819 | 9,692 | 0 | 0 | 6,878 | 8 | 7 |

*(continued)*

| SERVICES in IRELAND—*continued.* | SUMS Voted or Granted. £. | s. | d. | SUMS paid. £. | s. | d. |
|---|---|---|---|---|---|---|
| For defraying the Expense of Printing 1,500 Copies of a compressed Quarto Edition of the Statutes of the United Kingdom, for the use of the Magistrates of Ireland, and also 250 Copies of a Folio Edition of the same, bound, for the use of the Lords Bishops, and Public Officers in Ireland | 3,439 | 0 | 0 | 2,604 | 16 | 3¾ |
| For defraying the Expense of Criminal Prosecutions, and other Law Expenses in Ireland; for one year ending the 5th day of January, 1819 | 23,076 | 0 | 0 | 15,003 | 13 | 1¾ |
| To defray the Expense of apprehending Public Offenders in Ireland; for one year ending the 5th day of January, 1819 | 2,307 | 0 | 0 | 258 | 9 | 2¾ |
| For completing the Sum necessary for the support of the Nonconforming Ministers in Ireland; for one year ending the 5th day of January, 1819 | 8,581 | 0 | 0 | 6,435 | 15 | 0 |
| For the Support of Seceding Ministers from the Synod of Ulster in Ireland; for one year ending Ditto | 3,868 | 0 | 0 | 1,934 | 0 | 0 |
| For the Support of Protestant Dissenting Ministers in Ireland; for one year ending Ditto | 756 | 0 | 0 | 756 | 0 | 0 |
| For paying the Salaries of the Lottery Officers in Ireland; for one year ending 24th of June, 1818 | 1,764 | 18 | 6 | 1,764 | 18 | 6 |
| For defraying the Expense of the Pratique of the Port of Dublin; for one year ending the 5th of January, 1819 | 691 | 0 | 0 | 517 | 17 | 3¾ |
| For the Establishment and Maintenance of the Public Navigations in Ireland, vested in the Directors of Inland Navigation; for the year 1818 | 5,475 | 0 | 0 | 5,475 | 0 | 0 |
| To defray Civil Contingencies in Ireland; for one year ending the 5th day of January, 1819 | 40,000 | 0 | 0 | 40,000 | 0 | 0 |
| For defraying the Expense of making a Line of Canal from Lough Allan to the River Shannon, below Battle Bridge; in the current year | 15,000 | 0 | 0 | 5,000 | 0 | 0 |
| For further defraying the Civil Contingencies in Ireland; for the year ending 5th day of January, 1819 | 15,000 | 0 | 0 | 14,234 | 6 | 6¾ |
| To carry on the Works at Dunmore Harbour; in the year 1818 | 8,000 | 0 | 0 | 8,000 | 0 | 0 |
| To carry on the Works at Howth Harbour; in the year 1818 | 5,000 | 0 | 0 | 5,000 | 0 | 0 |
| To defray the Expense of building Churches and Glebe Houses, and purchasing Glebes in Ireland; for one year ending the 5th day of January, 1819 | 9,230 | 0 | 0 | 9,230 | 0 | 0 |
| For defraying the Expense of the Trustees of the Linen and Hempen Manufactures of Ireland; for the year ending the 5th day of January, 1819; to be by the said Trustees applied in such manner as shall appear to them to be most conducive to promote and encourage the said manufactures | 19,938 | 9 | 2¾ | 19,938 | 9 | 2¾ |
| To defray the Expense of the Commissioners for making wide and convenient Streets in the City of Dublin; for one year ending the 5th day of January, 1819 | 11,076 | 0 | 0 | 11,076 | 0 | 0 |
| To defray the additional Allowance to the Chairman of the Board of Inland Navigation in Ireland; for the year 1818 | 276 | 18 | 5½ | 276 | 18 | 5½ |
| To defray the Expense of putting the House of the Royal Irish Academy, in Grafton-street, into perfect Repair | 323 | 0 | 0 | 323 | 0 | 0 |
| For defraying the Expense of building Churches and Glebe Houses, and for purchasing Glebes in Ireland; for one year ending the 5th day of January, 1819 | 18,461 | 0 | 0 | 18,461 | 0 | 0 |
| For defraying the Expense of supporting the Protestant Charter Schools of Ireland; for one year ending Ditto | 38,331 | 0 | 0 | 38,331 | 0 | 0 |
| For defraying the Expense of the Foundling Hospital at Dublin; for one year ending Ditto | 32,515 | 0 | 0 | 27,692 | 6 | 2 |
| For supporting the House of Industry, Hospitals, and Asylums, for Industrious Children in Dublin; for one year ending Ditto | 36,646 | 0 | 0 | 36,646 | 0 | 0 |
| For defraying the Expense of supporting the Richmond Lunatic Asylum at Dublin; for one year ending Ditto | 7,085 | 0 | 0 | 7,085 | 0 | 0 |
| For defraying the Expense of the Hibernian Society for Soldiers' Children at Dublin; for one year ending Ditto | 3,530 | 0 | 0 | 3,530 | 0 | 0 |
| To defray the probable Charge of the Hibernian Marine Society; for one year ending Ditto | 2,755 | 0 | 0 | 2,755 | 0 | 0 |

*(continued)*

| SERVICES in IRELAND—*continued.* | | | | SUMS Voted or Granted. | | | SUMS paid. | | |
|---|---|---|---|---|---|---|---|---|---|
| | | | | £. | s. | d. | £. | s. | d. |
| For defraying the Expense of the Female Orphan House, on the Circular Road, near Dublin; for one year ending the 5th day of January, 1819 | | | | 2,307 | 0 | 0 | 2,307 | 0 | 0 |
| For supporting the Westmorland Lock Hospital in Dublin; for one year ending Ditto | | | | 8,307 | 0 | 0 | 8,307 | 0 | 0 |
| For supporting the Lying-in Hospital; for one year ending Ditto | | | | 3,148 | 0 | 0 | 3,148 | 0 | 0 |
| To defray the probable Expense of Dr. Steven's Hospital; for one year ending Ditto | | | | 1,467 | 0 | 0 | 1,467 | 0 | 0 |
| To defray the Expense of the Fever Hospital and House of Recovery in Cork-street, Dublin; for one year ending Ditto | | | | 4,615 | 0 | 0 | 4,615 | 0 | 0 |
| To defray the Expense of the Hospital for Incurables in Dublin; for one year ending Ditto | | | | 465 | 0 | 0 | 465 | 0 | 0 |
| To defray the Charge of the Establishment of the Roman Catholic Seminary; for the year ending Ditto | | | | 8,928 | 0 | 0 | 8,928 | 0 | 0 |
| For defraying the Expense of the Association incorporated for discountenancing Vice, and promoting the Knowledge and Practice of the Christian Religion; for one year ending the 5th day of January, 1819 | | | | 3,430 | 0 | 0 | 3,430 | 0 | 0 |
| To defray the Charge of the Green Coat Hospital of the City of Cork; for one year ending Ditto | | | | 104 | 0 | 0 | 104 | 0 | 0 |
| To defray the Expense of the Cork Institution; for one year ending Ditto | | | | 2,307 | 0 | 0 | 2,307 | 0 | 0 |
| To defray the Expenses of the Society for promoting the Education of the Poor of Ireland; for one year ending Ditto | | | | 5,538 | 0 | 0 | 5,538 | 0 | 0 |
| To defray the Expenses of the Dublin Society; for one year ending Ditto | | | | 9,230 | 0 | 0 | 9,230 | 0 | 0 |
| For defraying the Expenses of the Farming Society of Ireland; for one year ending Ditto | | | | 4,015 | 0 | 0 | 4,015 | 0 | 0 |
| | | | | 21,808,645 | 3 | 8 | 17,468,887 | 10 | 7½ |
| Exchequer Bills voted in Supply, per Act | £. | s. | d. | | | | | | |
| 56 Geo. 3rd, c. 14 | 6,000,000 | 0 | 0 | | | | | | |
| 57 ... Do. ...... 2 | 24,000,000 | 0 | 0 | | | | | | |
| .... . Do. ...... 16 | 18,000,000 | 0 | 0 | | | | | | |
| ...... Do. ...... 80 | 9,000,000 | 0 | 0 | | | | | | |
| | 57,000,000 | 0 | 0 | | | | | | |
| Irish Treasury Bills, per Act 56 Geo. 3rd, c. 41 and 47 | 1,084,615 | 7 | 8½ | | | | | | |
| | | | | 58,084,615 | 7 | 8½ | 42,058,415 | 7 | 8½ |
| | | | | 79,893,260 | 11 | 4½ | 59,527,302 | 18 | 4 |

## PAYMENTS FOR OTHER SERVICES,

Not being part of the Supplies granted for the Service of the Year.

| | £. | s. | d. |
|---|---|---|---|
| James Fisher, Esq. on his Salary, for additional trouble in preparing Exchequer Bills, pursuant to Act 48 Geo. 3rd, c. 1 | 375 | 0 | 0 |
| Bank of England, for Management on Life Annuities | 1,156 | 8 | 6¾ |
| Expenses in the Office of the Commissioners for the Reduction of the National Debt | 4,300 | 0 | 0 |
| Expenses in the Office of the Commissioners for issuing Commercial Exchequer Bills | 2,000 | 0 | 0 |
| Repayment of Annuities claimed pursuant to Act 56 Geo. 3rd, c. 142 | | 13 | 9 |
| | 7,836 | 2 | 3¾ |
| Amount of Sums voted; as above | 79,893,260 | 11 | 4½ |
| TOTAL Sums voted, and Payments for Services not voted | 79,901,096 | 13 | 8¼ |

## WAYS AND MEANS for Answering the foregoing SERVICES.

| | £. | s. | d. | £. | s. | d. |
|---|---|---|---|---|---|---|
| Duty on Malt, Sugar, Tobacco and Snuff, and on Pensions, Offices, &c. continued | | | | 3,000,000 | 0 | 0 |
| Excise Duties, continued per Act 56 Geo. 3rd, c. 17 | | | | 3,500,000 | 0 | 0 |
| Profits of Lotteries | | | | 240,000 | 0 | 0 |
| Arrears of Property Tax | | | | 250,000 | 0 | 0 |
| Monies to arise from the Sale of Old Naval and Victualling Stores | | | | 250,000 | 0 | 0 |
| Sums paid into the Exchequer by the Commissioners for the Management of Commercial Exchequer Bills | | | | 21,448 | 12 | 6 |
| Loan 3,000,000*l.* per Act 58 Geo. 3rd, c. 23 | | | | 2,999,920 | 0 | 0 |
| Exchequer Bills, funded per Act 58 Geo. 3rd, c. 23 | | | | 27,424,872 | 16 | 0 |
| Interest on Land Tax redeemed by Money | | | | 92 | 1 | 2 |
| Unclaimed Dividends, &c. after deducting Repayments to the Bank for Deficiencies of Balance in their hands | | | | 59,656 | 2 | 10 |
| | | | | 37,745,989 | 12 | 6 |
| Exchequer Bills voted in Ways and Means, 58 Geo. 3rd, c. 4 | 30,000,000 | 0 | 0 | | | |
| ... Ditto ... 86 | 11,600,000 | 0 | 0 | | | |
| | 41,600,000 | 0 | 0 | | | |
| Irish Treasury Bills, 58 Geo. 3rd, c. 87 | 800,000 | 0 | 0 | | | |
| | | | | 42,400,000 | 0 | 0 |
| Total Ways and Means | | | | 80,145,989 | 12 | 6 |
| Total Sums voted, and Payments for Services not voted; as before | | | | 79,901,096 | 13 | 8¼ |
| Surplus Ways and Means | | | | 244,892 | 18 | 9¾ |

Whitehall, Treasury Chambers,
23rd March, 1819.

C. ARBUTHNOT.

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